DOCUMENTS DEPARTMENT

CLOSED
STACKS

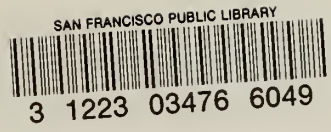
SAN FRANCISCO
PUBLIC LIBRARY

GOVERNMENT INFORMATION CENTER
SAN FRANCISCO PUBLIC LIBRARY

REFERENCE BOOK

Not to be taken from the Library

FEB 17 1984



SF
P30
#3
1-6-82

MINUTES
MEETING OF THE BOARD OF PERMIT APPEALS
WEDNESDAY, JANUARY 6, 1982

The meeting was called to order by President Louis Giraudo at 5:20 p.m.

Present were: President Louis J. Giraudo
Vice President Agripino R. Cerbatos
Commissioner Douglas J. Engmann
Commissioner Richard J. Guggenhime

Absent: Commissioner Mattie J. Jackson

Also present were: Mr. Don Lim and Mr. Rudy De May of the Department of Public Works, Mr. Sidney Shaw of the City Planning Department, Lawrence Wilson, Esq., representing the Police Department, Claire C. Pilcher, Executive Director, and Starla Hashimoto, temporary hearing reporter, as Doris Levine could not be present.

The following request for rehearing was denied due to lack of motion by the Board:

APPEAL NO. 81-286

B. H. WEBB, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Denial on November 30, 1981 of permit to alter building at 315-A Elizabeth Street. APPLICATION NO. 8108176.

The following appeals are from the regular calendar:

APPEAL NO. 81-277

ANNE M. ROVERE, Appellant vs. POLICE DEPARTMENT, Respondent

Denial on November 20, 1981 of peddler's permit at 24th and Sanchez Streets, 1182 Market Street, and 4083-24th Street. Lawrence Wilson, Esq., represented the Police Department. Mr. Fred Methner (East and West of Castro Street) testified for the department, and submitted a petition signed by the merchants on 24th Street. Mr. Bomerstein of the Shorenstein and Nederlander Association, objected to the permit. Also giving testimony for the department was Mr. Donald Karr, President of the Street Artists' Association, who pointed out to Ms. Rovere that she would be able to apply for a Street Artists' permit under the regulation that two or more people, banding together, can be recognized as a family unit, and can apply for any of the spaces available to Street Artists. Ms. Rovere decided to apply for a Street Artists' Permit under this regulation, and withdrew her appeal.

APPEAL NO. 81-291

EDGAR de TRINIDAD, dba "HOUSE OF DONUTS," Appellant vs. POLICE DEPARTMENT, Respondent
DEPT. PUBLIC WORKS DISAPPROVAL

Denial on December 11, 1981 of permit for mechanical amusement devices at 890 Geneva Street.

Lawrence Wilson, Esq., represented the department and stated that his objections to the permit were partly based on the fact that this corner is the terminal for seven Muni bus lines, and the amusement devices would lead to more loitering at that corner. Mr. de Trinidad represented himself. After some discussion, the Board overruled the department (4 - 0) with the following stipulations: (1) permit will be issued for six months; (2) there will be two machines: one stand-up type, and one sit-down type.

APPEAL NO. 81-278

MIKE McGRATH, Appellant vs. POLICE DEPT., Respondent
PUBLIC HEALTH DEPT. DISAPPROVAL

Denial on November 20, 1981 of pushcart peddler's permit at 850 Bryant Street. The Police Department was represented by Lawrence Wilson, Esq. After a short discussion, the Board decided to continue this matter for a period of four weeks, until the meeting of February 3, 1982.

DOCUMENTS DEPT.
SAN FRANCISCO
PUBLIC LIBRARY
X 352.8
Sa523m
1982

APPEAL NO. 81-298

DOUGLAS B. GOLUB, dba " D & G SALVAGE & RECYCLING CO.," Appellant vs. POLICE DEPARTMENT, Respondent DEPT. PUBLIC WORKS DISAPPROVAL

Denial on December 11, 1981 of permit for junk dealer at 1450 Griffith Street.
The Department of Public Works was represented by Mr. Rudy De May, Electrical Inspector. Mr. Golub, spoke on his own behalf. After a short discussion, the Board voted 4 - 0 to overrule the department with the stipulation that Mr. Blanchard inspect the electrical work.

APPEAL NO. 81-296

PAULI DE DOMINICIS, Appellant vs. ART COMMISSION, Respondent

Denial on December 8, 1981 of Street Artist's permit.
The Art Commission was not represented. Ms. De Dominicis, represented herself. A short discussion between the members of the board ensued as to the merits of the case. The board then voted 4 - 0 to overrule the department and to grant the appellant her permit.

APPEAL NO. V81-273

JEANNE PRUD'HOMME, Appellant vs. ZONING ADMINISTRATOR, Respondent

Denial on October 21, 1981 of off-street parking variance at 167-167A Carl Street.
There had been a site inspection on this property January 5, 1982 at 8:00 a.m. Vice President Cerbatos and Executive Director Claire C. Pilcher attended. Commissioner Cerbatos stated that there definitely were two kitchens and two units.
Mr. Sidney Shaw represented the Zoning Administrator, Mr. & Mrs. Prud'Homme spoke in their own behalf. After a lengthy discussion between all parties, the Board voted 4 - 0 to concur with the department.

APPEAL NO. V81-297

FOOK Z. LEE, Appellant vs. ZONING ADMINISTRATOR, Respondent

Denial of Rear Yard Variance at 2024-2030 Powell Street.
The Zoning Administrator was represented by Mr. Sidney Shaw. Several members of the Telegraph Hill Dwellers spoke on behalf of the department. Melvin Lee appeared on the behalf of the appellant. After some discussion regarding this matter, the Board voted 4 - 0 to concur with the department as the appellant had not met the five conditions of the variance.

APPEAL NO. V81-289

CHARLES R. GALE, Appellant vs. ZONING ADMINISTRATOR, Respondent

Denial on November 30, 1981 of Variance at 2450 Steiner Street.
The department was represented by Mr. Sidney Shaw. Mr. Donald Pettis, a neighbor, also spoke in behalf of the department. Mr. Kirby Fitzpatrick, architect, spoke on behalf of the appellant. David Bunim, Esq., attorney for the appellant was not present. Upon consideration of the matter, the board voted 4 - 0 to concur with the department as the appellant had not met the five conditions of the variance.

APPEAL NO. 81-294

BERNARD TOLK, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Protesting issuance on December 7, 1981 of permit to Donald Giannini to alter building at 2300 Buchanan Street. APPLICATION NO. 8106131.
Robert M. Lieber, Esq. represented the appellant. The Department was represented by Rudolph De May. Mr. Lieber explained the reasons for his client's appeal, while Mr. Giannini explained the addition to his building. The Board voted 4 - 0 to concur with the department with the stipulation that both the elevated roof and the stairwell will be no higher than the existing stairwell.

APPEAL NO. 81-295

FLETCHER & DOROTHY HARRISON, Appl. vs. DEPT. PUBLIC WORKS, Respondent

Protesting issuance on December 16, 1981 of permit to Kimochi Home Project to erect a structure at 1531 Sutter Street. APPLICATION NO. 8105917.
Mr. Rudolph De May, representing the department, explained the reasons for issuing the permit. Michael J. Kissinger, represented the appellants, and Kenneth Hayashi

Digitized by the Internet Archive
in 2013

http://archive.org/details/minutesofmeeting1982sanf

APPEAL NO. 81-295 (Continued)

spoke in behalf of the Kimochi Home Project. Following a lengthy discussion, the Board voted 4 - 0 to concur with the department.

APPEAL NO. 81-266

KATHLEEN KEITH, Appellant vs. DEPARTMENT PUBLIC WORKS, Respondent

Revocation on November 10, 1981 of permit to alter building at 3190 Clay Street. APPLICATION NO. 8100782.

As there had been a great deal of correspondence regarding this appeal, the Board was well aware of the issues. After a very short discussion of the matter, they voted 4 - 0 to overrule the department with the finding that the appellant had detrimentally relied upon the City in using her permits as originally intended and expended a great deal of money in so doing.

APPEAL NO. 81-299

CHINESE COMMUNITY HOUSING CORP., Appellant vs. DEPARTMENT PUBLIC WORKS, Respondent

Denial on December 16, 1981 of permit to alter building at 651-657 Clay Street. APPLICATION NO. 8109728.

Mr. Don Lim represented the Department of Public Works. Mr. Howard Gong spoke in behalf of the defendant. Mr. Gong explained the appellant's inability to install the additional kitchens required by the building code, especially when a cafeteria is available to serve hot meals. After some discussion the Board overruled the department with the finding that the additional kitchens are not essential to the serving of food.

APPEAL NO. 81-300

BERNARD PASQUIER, Appellant vs. DEPT. PUBLIC WORKS, Respondent (ELECTRICAL DIVISION)

Determination of Superintendent of Bureau of Building Inspection regarding electrical equipment at 485 Pine Street. APPLICATION NO. 060478.

Rudolph De May represented the department. Patrick S. Hallinan, Esq. spoke on behalf of the appellant. Mr. Hallinan pointed out that although the ovens had not been approved by the Underwriters Laboratory, they had been thorough tested by another testing corporation (Electro-Test, Inc.) and met the intent of the code. After a lengthy discussion, and the showing of pictures by Mr. Hallinan, the board voted 4 - 0 to overrule the department with the finding that inasmuch as this equipment was unique, the testing by Electro-Test, Inc. met the standards of UAL testing.

As there was no further business, President Giraudo adjourned the meeting at 8:20 p.m.

DATE: January 6, 1982

LOUIS J. GIRAUDO, President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

BOARD OF PERMIT APPEALS
CITY HALL
SAN FRANCISCO, CA 94102

City Librarian

SF

MINUTES
MEETING OF THE BOARD OF PERMIT APPEALS
WEDNESDAY, JANUARY 13, 1982

The meeting was called to order by President Louis J. Giraudo at 5:15 p.m.

Present: President Louis J. Giraudo
Vice-President Agripino R. Cerbatos
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann

DOCUMENTS DEPT.

Absent: Commissioner Richard J. Guggenhime

Also present were Mr. Don Lim representing the Department of Public Works; Mr. Sidney Shaw representing the Zoning Administrator; Lawrence Wilson, Esq. for the Police Department, and several officers who testified in various appeals; Ms. Claire C. Pilcher, Executive Director, and Ms. Doris Levine, the official hearing reporter.

The following request for rehearing was submitted by the Art Commission and was granted:

APPEAL NO. 81-296

PAULI DE DOMINICIS, Appellant vs. ART COMMISSION, Respondent
Denial on December 8, 1981 of permit for street artist.

The following appeals are on the regular calendar:

APPEAL NO. 81-304

JOSEPH CHIORATO, Appellant vs. DEPT. PUBLIC WORKS, Respondent
Imposition on January 5, 1982 of penalty for work done at 1455 Plymouth Avenue. Mr. Don Lim represented the Department. No one was present to represent the appellant, therefore the Board voted 4 - 0 to uphold the department.

APPEAL NO. 9008

EARL S. KUHNS, dba "FRENCHY'S K & T ADULT THEATRE AND ADULT BOOKSTORE," Appellant vs. POLICE DEPARTMENT, Respondent
Revocation on September 4, 1980 of permits for adult theatre and adult bookstore at 101 Taylor Street. REMAND FROM SUPERIOR COURT.
In accordance with the instructions from the Superior Court, Board voted 4 - 0 to reaffirm their order regarding the theatre, and to set aside the order for the bookstore.

APPEAL NO. 81-292

THANH PHUNG THI PHAM, dba "PARADISE CLUB," Appellant vs. POLICE DEPARTMENT, Respondent
Revocation on December 7, 1981 of permits for billiard parlor, dance hall keeper, mechanical amusement devices and place of entertainment at 931 Kearny Street. The department was represented by Lawrence Wilson, Esq. and several officers were called to give evidence of the difficulties encountered at this location. The appellant was represented by Richard de Jaurequi, Esq. After much discussion regarding the problems encountered by the Police Department, the Board voted 4 - 0 to overrule the department with the stipulation that a uniformed guard be at each entrance of the Club at all times that the "Paradise Club" is open.

APPEAL NO. 81-293

WILLIAM LAZAR, Appellant vs. POLICE DEPARTMENT, Respondent
Protesting issuance on November 14, 1981 of permit to Charles Cohn & Janice Maher to change color scheme of taxicab.
Lawrence Wilson, representing the department, asked that this matter be continued for a period of two weeks, as his information was that Charles Cohn and Janice Maher were going to stay with Luxor Cabs. Appeal was scheduled to be heard at the meeting of January 27, 1982.

APPEAL NO. 81-302

TERRENCE MICKELS, dba "DUKE BOYS," Appellant vs. POLICE DEPARTMENT, Respondent
Denial on December 22, 1981 of permit for mechanical amusement devices at 1338 Ocean.
The appellants asked for a continuance because their attorney was unable to be present. Inasmuch as many neighbors were present to uphold the department, President Giraudo specified that all evidence for the department would be heard, and the continuance would be granted in order that the attorney for the appellants would be able to be present at the meeting of January 20th. The Police Department was represented by Lawrence Wilson, Esq. Among the neighborhood associations giving testimony were: Westward Park Association, Citizens' League, and the Ocean Avenue Merchants Association. This appeal will be further heard at the meeting of January 20, 1982.

APPEAL NO. 81-303

KATHRYN SHADOAN, Appellant vs. DEPT. PUBLIC WORKS, Respondent
Revocation on January 13, 1982 of permit to alter building at 1322 Fourth Avenue. APPLICATION NO. 8107300.
Mr. Don Lim, represented the Department of Public Works. There was no one present to speak for the appellant. Therefore, the Board voted 4 - 0 to uphold the Department.

APPEAL NO. V81-290

KATO, LEW & MORIMOTO, Appellant vs. ZONING ADMINISTRATOR, Respondent
Denial on November 30, 1981 of variance for lot area, rear yard and height at rear of building at 539 Ivy Street.
Mr. Sidney Shaw represented the Zoning Administrator. Mr. Kato spoke in behalf of the appellants. After a lengthy discussion, the board voted 4 - 0 to overrule the department and to grant the variance inasmuch as the five conditions of the variance had been met.

As there was no further business, President Giraudo adjourned the meeting at 8:20 p.m.

DATE: January 13, 1982

LOUIS J. GIRAUDO, President

Claire C. Pilcher, Executive Director

BOARD OF PERMIT APPEALS
CITY HALL
SAN FRANCISCO, CA 94102

City Librarian

SF
P30
#3
1/20/82

SF

MINUTES

MEETING OF THE BOARD OF PERMIT APPEALS
WEDNESDAY, JANUARY 20, 1982

DOCUMENTS DEPT.
FEB 1 1989
SAN FRANCISCO PUBLIC LIBRARY

President Louis Giraudo called the meeting to order at 5:15 p.m.

Present were: President Louis J. Giraudo
Vice President Agripino R. Cerbatos
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Richard J. Guggenhime

Also present were Mr. Don Lim, representing the Department of Public Works; Mr. Sidney Shaw, representing the Zoning Administrator; Lawrence Wilson, Esq., Legal Officer for the Police Department, and several officers who testified in various appeals; Ms. Claire C. Pilcher, Executive Director, and Ms. Doris Levine, the official hearing reporter.

The following was a request for the Board to take jurisdiction beyond the ten-day period: 2191 Mission Street/Application No. 8008270. Letter signed by Paul Mak was submitted, and the Board voted unanimously to take jurisdiction in this matter.

The regular calendar was then called:

APPEAL NO. 82-108

PETER TSUI, Appellant vs. DEPT. PUBLIC WORKS, Respondent
Imposition of penalty on January 13, 1982 for work at 2844 Fulton Street.
APPLICATION NO. 8105456.
Mr. Don Lim represented the Department of Public Works. The appellant spoke on his own behalf. After a short explanation from both parties, the board voted 5-0 to overrule the department with the stipulation that the appellant pay the department two times the permit fee of $73.20 for a total of $146.40.

APPEAL NO. 81-309

JAMES NANCE, dba "NANCE CATERING," Appl. vs. POLICE DEPARTMENT, Respondent
Denial on December 29, 1982 of permit for mechanical amusement devices at 1929 Ocean Avenue.
Lawrence Wilson, Esq. represented the department, and stated that Officer Baxter had measured carefully, and had found that the appellant's business establishment was 280 feet from the door of Ashton School. The appellant stated that his measurements showed more than the 300 feet required in order to have mechanical amusement devices. President Giraudo stated that the appellant could measure the distance together with Officer Baxter, and if they could come to some agreement, he would be granted a request for rehearing. The Board then voted 5-0 to concur with the department.

APPEAL NO. 81-296

PAULI DE DOMINICIS, Appellant vs. ART COMMISSION, Respondent
Denial on December 8, 1981 of street artists permit.
This appeal was presented for rehearing at the request of the Art Commission. Mr. Howard Lazar spoke on behalf of the Art Commission, stating their reasons for the denial. The Appellant spoke on her own behalf, explaining why she was not able to be present at the hearings of the Art Commission. After some discussion, the Board decided to continue the matter for one week to give Ms. Dominicis the opportunity to bring a letter from her psychiatrist substantiating the claim of her inability to attend the Art Commission's Hearings.

APPEAL NO. 81-268

JOHN M. KOLLING, vs. POLICE DEPT., Respondent
DEPT. PUBLIC HEALTH DISAPPROVAL

Brought before the board for rehearing. Lawrence Wilson, representing the Police Department, called Officer West who stated that he had approved the permit because there had been a peddler there before and a replacement would not add to the congestion. He also stated that this was not an additional permit, only a replacement. Mr. Albert Chin spoke in behalf of the Health Department. After discussion by all parties, the board voted 5 - 0 to overrule the department with the finding that there is no evidence of added congestion.

APPEAL NO. 81-302

TERENCE MICKELS, dba "DUKE BOYS," Appl. vs. POLICE DEPARTMENT, Resp.
Denial on December 22, 1981 of permit for mechanical amusement devices at 1338 Ocean Avenue.

Lawrence Wilson, Esq. represented the Police Department, and stated the concerns of the neighborhood. Herbert Gemple, Esq. represented the appellant and called several character witnesses who mentioned the ability of the appellants to keep order and their dedication to the community. The Board voted 4 - 1 (President Giraudo voted to concur) to overrule the department with the following stipulations: (1) permit will be for six month period; (2) there will be ten video machines only; (3) hours will be 3 - 10 Sunday through Friday; Saturday, hours will be 10 a.m. to 10 p.m.

APPEAL NO. 81-306

CHININ TANA, Appl. vs. DEPARTMENT PUBLIC WORKS, Resp.
Protesting the issuance on December 2, 1981 of permit to Kenneth S. Baron to alter building at 162 - 28th Avenue.

Mr. Don Lim spoke in behalf of the Department of Public Works. Mr. Tana, the appellant, stated his concerns regarding the subject permit. After some discussion, President Giraudo asked Mr. Lim if he could make an inspection of this property. Mr. Lim agreed, and the matter was continued for one week.

APPEAL NO. 81-307

JAMIL M. ABU-HAMDEH, dba "JMA CONSTRUCTION COMPANY," Appl. vs. DEPT. PUBLIC WORKS, Resp.
CITY PLANNING DISAPPROVAL

Denial on January 4, 1982 of permit to alter building at 2988 Mission Street. APPLICATION NO. 8109205.

Mr. Donald Lim represented the Department of Public Works, Mr. Sidney Shaw spoke for City Planning. Mr. Abu-hamdeh, the appellant, spoke in his own behalf. Mrs. Patricia Arvedi, a neighbor, substantiated the fact that a fire destroyed the building, and Mr. Abu-Hamdeh was replacing the burned-out section. After some discussion, the Board voted 5 - 0 to concur with the department. President Giraudo stated that if the appellant should find a permit which had been issued for this work, he could request a rehearing on the grounds that he had new evidence.

APPEAL NO. 81-301

PATRICIA CARSON MAJOR, Appl. vs. DEPARTMENT OF PUBLIC WORKS, Resp.
ZONING ADMINISTRATOR DISAPPROVAL

Permit cancellation on December 14, 1981, based on determination by Zoning Administrator regarding Planning Code Section 305(d) concerning "reasonable time." Mr. Don Lim represented the Department of Public Works. Mr. Sidney Shaw represented the Zoning Administrator. After a lengthy discussion, the Board voted 5 - 0 to overrule the department, finding that the five conditions of the variance had been met. (For findings, see Decision with Findings attached).

APPEAL NO. V81-308

ROBERT LYNCH/MATTHEW HALEY, Appl. vs. ZONING ADMINISTRATOR, Resp.
Denial of front set back variance at 3637 Clay Street.
Mr. Sidney Shaw represented the Zoning Administrator. Several neighbors gave testimony on behalf of the department. Mr. Lynch represented himself. After some discussion, the Board voted unanimously to concur with the department as the appellants had not met the five conditions of the variance.

APPEAL NO. V81-305

MARK PIERCE, Appellant vs. ZONING ADMINISTRATOR, Respondent
Off-Street Parking and Rear Yard variance to convert two one-car garages to commercial use.
Mr. Sidney Shaw explained the denial by the Zoning Administrator. Mr. Mark Pierce spoke in his own behalf, explaining his reasons for asking for the variance. After some discussion, the Board voted unanimously to concur with the department as the appellant had not met the five conditions of the variance.

As there was no further business, the meeting was adjourned at 9:20 p.m.

DATE: January 20, 1982

LOUIS J. GIRAUDO, President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

OARD OF PERMIT APPEALS
CITY HALL
SAN FRANCISCO, CA 94102

---- ----------, -----

City Librarian

SF
DOCUMENTS DEPT.
JAN 12 1982
SAN FRANCISCO PUBLIC LIBRARY

MINUTES

MEETING OF THE BOARD OF PERMIT APPEALS

WEDNESDAY, JANUARY 27, 1982
5:00 P.M., ROOM 282 - CITY HALL

The meeting was called to order at 5:20 by Acting President Agripino Cerbatos, as President Louis J. Giraudo was unable to be present.

PRESENT: Agripino R. Cerbatos, Acting President
Mattie J. Jackson, Commissioner
Douglas J. Engmann, Commissioner
Richard J. Guggenhime, Commissioner

Also present were: Mr. Don Lim, representing the Department of Public Works, Mr. Sidney Shaw representing City Planning; Lawrence Wilson, Esq., Legal Officer for the Police Department; Mr. Howard Lazar of the Art Commission; Ms. Claire C. Pilcher, Executive Director, and Ms. Doris Levine, the official hearing reporter.

There were no Requests for Rehearing or other matters for consideration to be brought before the Board, therefore, the first appeal on the regular calendar was called:

APPEAL NO. 81-296

PAULI DE DOMINICIS, Appellant vs. ART COMMISSION, Respondent
Denial on December 8, 1981 of permit for street artist.
This matter was brought before the Board to give the appellant a chance to present documentation to substantiate her claim of being unable to attend the meeting of the Art Commission to maintain her permit. She presented a letter from Casa de las Madres, which was acceptable to Mr. Howard Lazar of the Art Commission, therefore, the Board voted 4 - 0 to overrule the department and to grant her permit.

APPEAL NO. 82-014

DOUGLAS CARNAHAN, dba "CREATIVE ENERGY," Appl. vs. DEPT. PUBLIC WORKS, Resp.
Imposition on January 18, 1982 of plumbing penalty for work at 1401 Monterey Boulevard.
The department was represented by Mr. Don Lim. Mr. Carnahan spoke in his own behalf. After a short discussion, the Board voted 4 - 0 to uphold the department.

APPEAL NO. 82-009

JACK H. McPHAIL, Appellant vs. DEPT. PUBLIC WORKS, Respondent
Imposition on January 13, 1982 of penalty for work at 2277-79 Bryant Street.
APPLICATION NO. 8109642.
Mr. Don Lim spoke for the department. The appellant represented himself and explained why the work was done without a permit. After hearing the discussion by both parties, the Board voted to overrule the department with the stipulation that the Investigation Fee be reduced to $100.00, plus the Permit Fee of $22.50, for a total of $122.50.

APPEAL NO. 81-306

CHININ TANA, Appellant vs. DEPT. PUBLIC WORKS, Respondent
Protesting issuance on December 2, 1981 of permit to Kenneth S. Baron to alter building at 162-28th Avenue. APPLICATION NO. 8109459.
Mr. Don Lim represented the Department of Public Works, stated that he had checked Mr. Baron's alterations to 162-28th Avenue, and they were according to Code. Mr. Tana was not represented at this hearing. After a short discussion, the Board voted 4 - 0 to concur with the department.

APPEAL NO. 82-010

ALFRED R. GRAYSON, dba "BIG AL's," APPELLANT vs. POLICE DEPARTMENT, Respondent

Denial on January 14, 1982 of permit for mechanical amusement devices. Mr. Lawrence Wilson spoke on behalf of the Police. Robert Thorp, Esq. represented the appellant. After some discussion, the Board voted 3-1 to overrule the Department with Commissioner Engmann voting to concur with the Department. Because one vote would have been decisive, the Board continued this matter for rehearing on February 3, 1982.

APPEAL NO. 82-011

ORANZA WILEY, dba "WILEY'S LIQUOR DEN," Appl. vs. POLICE DEPARTMENT, Respondent

Denial on January 8, 1982 of permits for mechanical amusement devices at 1015 Ocean Ave. Lawrence Wilson, Esq. represented the Department. The appellant was represented by Cecil L. McGriff, Esq. After some discussion regarding the request for mechanical amusement devices, the Board voted 3 - 1 to overrule the department with Commissioner Engmann voting to concur with the Department. Because one vote would have made a difference, the Board continued this matter for rehearing on February 3, 1982.

APPEAL NO. 82-012

MARVIN WHITFIELD, dba "SUNNYDALE BAR-B-Q SOUL FOOD," Appellant vs. POLICE DEPARTMENT, Respondent

Denial on January 8, 1982 of permit for mechanical amusement devices at 215-217 Hahn St. Lawrence Wilson, Esq. spoke on behalf of the department. The appellant represented himself. After some discussion, the Board voted 3 - 1 to overrule the department. Commissioner Engman voted to concur with the department. Because one vote would have made a difference, the Board continued this matter for rehearing on February 3, 1982.

As there was no further business, the meeting was adjourned at 7:00 p.m.

DATE: January 27, 1982

Agripino R. Cerbatos cp

AGRIPINO R. CERBATOS, Acting President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

SF
P30
#3
2/3/82

MINUTES
MEETING OF THE BOARD OF PERMIT APPEALS
WEDNESDAY, FEBRUARY 3, 1982

The meeting was called to order by President Louis J. Giraudo at 5:25 p.m.

PRESENT WERE: Louis J. Giraudo, President
Agripino R. Cerbatos, Vice President
Mattie J. Jackson, Commissioner
Douglas J. Engmann, Commissioner
Richard J. Guggenhime, Commissioner

DOCUMENTS DEPT.
MAR 3 1982
SAN FRANCISCO
PUBLIC LIBRARY

Also present were: Mr. Don Lim, representing the Department of Public Works, Mr. Robert Passmore, Zoning Administrator, Lawrence Wilson, Esq. Legal Officer for the Police Department with several officers to testify in various appeals; Claire C. Pilcher, Executive Director; and Doris Levine, official hearing reporter.

The following were requests for rehearing:

APPEAL NO. 81-309

JAMES NANCE, dba "NANCE'S CATERING," Appl. vs. POLICE DEPARTMENT, Respondent
Denial on December 29, 1981 of permit for mechanical amusement devices at 1929 Ocean.
Request for rehearing was DENIED as there was no motion from the Board.

APPEAL NO. 81-302

TERRENCE MICKELS, dba "DUKE BOYS," Appl. vs. POLICE DEPARTMENT, Resp.
Denial on December 22, 1981 of permit for mechanical amusement devices at 1338 Ocean Avenue.
Request for Rehearing by the Police Department was GRANTED and rehearing scheduled to be heard at meeting of February 24, 1982.

Executive Director, Claire C. Pilcher, stated that there will be an election of officers at the meeting of February 17, 1982.

There will be an Executive Session February 10, 1982 at 5:00 p.m. in Room 154-A, City Hall, all commissioners were asked to attend.

The calendared items were called next:

APPEAL NO. 82-019

ANGELA McDONALD, Appl. vs. DEPARTMENT PUBLIC WORKS, Resp.
Imposition of penalty on January 26, 1982 for work done at 7592 Vienna Street.
The department was represented by Mr. Don Lim. The appellant explained her appeal. After a short discussion, the Board voted unanimously to overrule the department with the stipulation that the appellant pay only two times the permit fee of $31.25 for a total of $62.50.

APPEAL NO. 82-010

ALFRED R. GRAYSON, dba "BIG AL's," Appl. vs. POLICE DEPARTMENT, Respondent
Denial on January 14, 1982 of permit for mechanical amusement devices at 1410 Ocean Avenue.
Lawrence Wilson represented the Police Department. The appellant was represented by Robert L. Thorp, Esq. After some discussion, the Board decided to continue this matter until February 24, 1982, in order to have a meeting with the Mayor and the Chief of Police to establish guidelines for dealing with mechanical amusement device permits.

MAR 01 1982

APPEAL NO. 82-011

ORANZA WILEY, dba "WILEY'S LIQUOR DEN," Appellant vs. POLICE DEPARTMENT, Resp.
Denial on January 8, 1982 of permit for mechanical amusement devices at 1015 Ocean Ave.
Lawrence Wilson represented the Police Department, and the appellant was represented by Cecil McGriff, Esq. After some discussion, the Board decided to continue this matter until February 24, 1982, in order to have a meeting with the Mayor and the Chief of Police to establish guidelines for dealing with mechanical amusement device permits.

APPEAL NO. 82-012

MARVIN WHITFIELD, dba "SUNNYDALE BAR-B-QUE SOUL FOOT," Appellant vs. POLICE DEPARTMENT, Resp.
Denial on January 8, 1982 of permit for mechanical amusement devices at 215-217 Hahn St.
Lawrence Wilson represented the Police Department. The appellant spoke in his own behalf. After a short discussion, the Board decided to continue this matter until February 24, 1982, in order that a meeting with the Mayor and Chief of Police be scheduled to establish guidelines for dealing with mechanical amusement device permits.

APPEAL NO. 82-278

MIKE McGRATH, Appellant vs. POLICE DEPARTMENT, Resp.
Denial on November 20, 1981 of pushcart peddler's permit at 850 Bryant Street.
Lawrence Wilson represented the Police Department. As there was no representation for the appellant, the Board voted unanimously to concur with the department and the permit was denied.

APPEAL NO. 81-279

DAVID J. GUSSECK, dba "ESTRELLITA ADULT THEATRE," Appellant vs. POLICE DEPARTMENT, Resp.
Denial on November 20, 1981 of application for transfer of adult theater permit at 96 Golden Gate Avenue.
Lawrence Wilson, Esq. represented the Police Department. He asked that this appeal be continued to the meeting of February 17, 1982 in order to try to settle this matter. The requres was granted, and the matter continued to February 17, 1982.

APPEAL NO. 82-018

DONALD KARR, Appellant vs. POLICE DEPARTMENT, Resp.
Protesting issuance of loudspeaker at 556 Sutter Street to Robert Williams, dba "LA VILLE DU SOLEIL."
The Police Department was represented by Lawrence Wilson, Esq., Officer West also spoke regarding his reasons approving the permit. Mr. Wayne Vietch represented the appellant. After some lengthy explanations by all parties involved, the Board voted 3 - 2 to concur with the department. Commissioner Jackson and President Giraudo voted to overrule the department. Therefore, the department was upheld and the permit retained.

APPEAL NO. 82-016

GURSON S. DANG, Appellant vs. DEPT. PUBLIC WORKS, Resp.
Denial on January 11, 1982 of permit to alter building at 44A and 44B Athens Street, under APPLICATION NO. 8009608.
The Department of Public Works was represented by Mr. Don Lim. Robert Peterson, Esq. of the law firm of Hardisty, Peterson, Barr & Pitchford represented the appellant. After a lengthy discussion, the Board voted unanimously to overrule the Department with respect to Items 1, 4, 7, and 13; with respect to Item 3, the Department is overruled with the stipulation that all excessive dirt be excavated from the area in question to be the equivalent measurement required to raise the foundation.

The Department is upheld with respect to all other items the subject of this appeal.

APPEAL NO. 82-017

PAUL MAK, Appellant vs. DEPT. PUBLIC WORKS, Respondent
Revocation on December 22, 1982 of permit to alter building at 2191 Mission Street.
APPLICATION NO. 8008270.
Mr. Don Lim represented the Department of Public Works. Mr. Mak spoke in his own behalf. After some explanation of the situation by Mr. Mak, the Board voted unanimously to overrule the Department with the finding that the appellant detrimentally relied on the department.

APPEAL NO. 82-207

PACIFIC HEIGHTS NEIGHBORHOOD COUNCIL/
PACIFIC HEIGHTS RESIDENTS ASSOCIATION, Appl. vs. ZONING ADMINISTRATOR, Resp.
Interpretation of the Zoning Administrator dated August 25, 1981 with regard to Section 209.3(a) of the Planning Code.
This matter was presented to the Board for rehearing. Mr. Robert Passmore represented the Department. Ms. Joan McGuire, Attorney, represented the appellants. After much discussion and explanation, the Board voted to concur with the department on the interpretation. Commissioner Engmann and President Giraudo voted to overrule the department. With a vote of 3 - 2 to overrule, the department was upheld.

DATE: FEBRUARY 3, 1982

LOUIS J. GIRAUDO, President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

SF
R30
#3
2/17/82

MINUTES
MEETING OF THE BOARD OF PERMIT APPEALS
WEDNESDAY, FEBRUARY 17, 1982

The meeting was called to order by President Louis J. Giraudo at 5:10 p.m.

DOCUMENTS DEPT.
MAR 3 1982
SAN FRANCISCO
PUBLIC LIBRARY

Present were: Louis J. Giraudo, President
Agripino R. Cerbatos, Vice President
Mattie J. Jackson, Commissioner
Douglas J. Engmann, Commissioner
Richard J. Guggenhime, Commissioner

Also present were: Mr. Don Lim, representing the Department of Public Works, Ms. Nancy Gin for the Planning Department, Lawrence Wilson, Esq. representing the Police Department, and officers to testify in various appeals; Claire C. Pilcher, Executive Director; and Doris Levine, official hearing reporter.

The following request for rehearing was denied because of no motion from the Board.

APPEAL NO. 82-016

GURSON S. DANG, Appellant vs. DEPARTMENT PUBLIC WORKS, Respondent

The Board then proceeded with matters from the regular calendar:

APPEAL NO. 82-026

CHARLESTON SMITH, Appellant vs. DEPARTMENT OF PUBLIC WORKS, Respondent

Denial on January 25, 1982 of permit to install shoe shine stand at #1 Bush Street, ground floor of Zellerbach Building. APPLICATION NO. 8200202.

Mr. Don Lim, representing the Department of Public Works stated that their objections to the shoe shine stand had been settled, and he recommended that the Board vote to overrule the department and have the permit granted. The board agreed and voted unanimously to overrule the department.

APPEAL NO. 82-022

MELVIN MORAN, Appellant vs. DEPARTMENT OF PUBLIC WORKS, Respondent

Imposition of penalty on February 4, 1982 for work done at 871 Innes Avenue.

Mr. Don Lim represented the Department of Public Works and stated their reasons for the penalty. There was no one present to speak on behalf of the appellant, therefore, the Board voted 4 -0 to concur with the department. Commissioner Engmann was not present for this vote.

APPEAL NO. 82-021

RENATO PASCUA, Appellant vs. DEPARTMENT OF PUBLIC WORKS, Respondent

Imposition of penalty on February 2, 1982 of penalty for work done at 572 Brunswick Street.

Mr. Don Lim spoke on behalf of the Department of Public Works. The appellant explained that he did not know about needing a permit. The Board then voted unanimously to reduce the penalty by half, making it $191.70, plus the permit fee of 42.60, for a total due of $234.30.

APPEAL NO. 82-020

WARREN ST. THOMAS, dba "GARDEN OF EDEN," Appellant vs. POLICE DEPARTMENT, Respondent

Revocation on January 19, 1982 of permit for place of entertainment at 529 Broadway.

Lawrence Wilson, Esq. represented the Police Department, and called Inspector Tom Girard to give his evidence. The appellant was represented by David R. Roche, Esq. After a lengthy discussion, the Board voted 5 - 0 (Commissioner Engmann returned) to overrule the department with the stipulation that the place of entertainment permit be suspended for a ten-day period.

APPEAL NO. 82-023

ROBERT W. MEYER, dba "CABLE CAR HOT DOG CO.," Appellant vs. POLICE DEPARTMENT, Respondent
HEALTH DEPARTMENT DISAPPROVAL

Denial on January 25, 1982 of permit for pushcart peddler at Market Street between Spear and Steuart Streets.

Lawrence Wilson, Esq. representing the Police Department called Mr. May, Security Officer for the Hyatt Regency, and Mr. Franklin, representing Embarcadero, Inc. who both testified to the inadvisability of having a cart at that site, due to the present traffic congestion. Mr. Paul Schwabacher of the Health Department testified that the appellant had not as yet presented a cart for approval. The appellant was represented by Mr. Royce Charney. After a lengthy discussion, the Board decided to have a site inspection on Monday, February 22, 1982 at noon, and the appeal was continued to the meeting of February 24, 1982.

APPEAL NO. 82-025

ROBERT APTON, Appellant vs. DEPTARTMENT PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

Protesting issuance on January 28, 1982 of permit to erect structure at 397 Mullen St. Nancy Gin represented the City Planning Department. Mr. Lim represented the Department of Public Works. Christopher Ritter, Esq. spoke on behalf of the appellant. Ernest Goldsmith, Esq. represented the Permit Holder, Mr. Arleigh Disney. Mr. Robert Apton displayed charts showing why he was concerned about the building proposed by Mr. Disney. After much discussion, the Board voted unanimously to concur with the department.

As there was no further business to bring before the Board, President Giraudo adjourned the meeting at 8:00 p.m.

DATE: February 17, 1982

LOUIS J. GIRAUDO, President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

ARD OF PERMIT APPEALS
CITY HALL
N FRANCISCO, CA 94102

DOCS
City Librarian

DOCUMENTS DEPT.

MAR 16 1982

SAN FRANCISCO
PUBLIC LIBRARY

MINUTES
MEETING OF THE BOARD OF PERMIT APPEALS
WEDNESDAY, FEBRUARY 24, 1982

The meeting was called to order by President Louis J. Giraudo at 5:15 p.m.

Present were: Louis J. Giraudo, President
Agripino R. Cerbatos, Vice President
Mattie J. Jackson, Commissioner
Douglas J. Engmann, Commissioner
Richard J. Guggenhime, Commissioner

Also present were: Mr. Sidney Shaw for the Planning Department. There were no matters on the calendar for the Department of Public Works, therefore, that department was not represented. Lawrence Wilson, Esq. represented the Police Department. Paul Schwabacher represented the Health Department. Claire C. Pilcher, Executive Director, and Doris Levine, official hearing reporter. There were also officers of the Police Department to testify in various cases, and members of various neighborhood organizations.

There were no requests for rehearing, therefore the first order of business was the election of officers. Commissioner Jackson nominated Louis J. Giraudo for a second term as president and he was voted in by an unanimous vote. Vice President Cerbatos declined the nomination for a second term and Commissioner Jackson was nominated and accepted. The vote was unanimous for her election. (At the conclusion of the meeting, Commissioner Jackson asked that the vote on the vice presidency be rescinded. She then nominated Commissioner Cerbatos, who was then unanimously elected vice president.)

APPEAL NO. V82-029

DOROTHY ORRICK/R. FREDERICK HODDER, Appl. vs. ZONING ADMINISTRATOR, Respondent
Protesting the granting of rear yard variance at Polk and Greenwich Streets. John D. Newman, Esq. representing the permit holder, Carma Developers, Inc. requested that this matter be continued. The Board agreed, and this appeal was continued to the regular meeting of March 10, 1982.

APPEAL NO. 82-010

ALFRED R. GRAYSON, dba "BIG AL'S," Appl. vs. POLICE DEPARTMENT, Respondent
The appellant was represented by Robert L. Thorp, Esq. Lawrence Wilson spoke on behalf of the Police Department. After a short discussion, with input by neighbors in that area, the board voted unanimously to overrule the department with the following stipulations: (1) permit will be granted for six-months only; (2) machines will not operate during the hours of 9 a.m. to 3 p.m. on school days; (3) there will be two machines only; and the machines will not be turned on after 9 p.m.

APPEAL NO. 82-011

ORANZA WILEY, dba "WILEY'S LIQUOR DEN," Appl. vs. POLICE DEPARTMENT, Respondent
Denial on January 8, 1982 of permit for mechanical amusement devices at 1015 Ocean Ave. Mr. Cecil L. McGriff, Esq. represented the appellant. The Police Department was represented by Lawrence Wilson, Esq. After a short discussion, the board voted 3 - 2 to overrule the department with President Giraudo and Commissioner Engmann voting to concur. The department was therefore upheld.

APPEAL NO. 82-012

MARVIN WHITFIELD, dba "SUNNYDALE BAR-B-QUE SOUL FOOD," Appellant vs. POLICE DEPARTMENT, Respondent
Denial on January 8, 1982 of permit for mechanical amusement devices at 215-217 Hahn St. The appellant, Marvin Whitfield, represented himself. Lawrence Wilson spoke on behalf of the Police Department. After some discussion, the board voted unanimously to concur with the department, with the finding that this was a high crime area.

APPEAL NO. 81-302

Terrence Mickels, dba "DUKE BOYS," APPL. vs. POLICE DEPARTMENT, Respondent

Lawrence Wilson, Esq. represented the Police Department. Several neighborhood groups spoke on behalf of the department. The appellant was represented by Herbert Gemple, Esq. After a lengthy discussion, and many representatives from neighborhood groups stating their disapproval, the board voted to overrule the department with a 4 - 1 vote. (President Giraudo voted to concur with the department), with the following stipulations: (1) permit will be issued for six months only; (2) there will be ten video machines only; (3)hours will be 3 - 9 p.m., Sunday through Friday; Saturday hours will be 10 a.m. to 10 p.m.; (4) there will be two full time employees on duty at all times; (5) machines will be placed so each machine is visable from the center of the establishment; (6) all machines will have a turn-on, turn-off switch accessible only to employees; (7) front door will have an automatic closing to open only when patrons enter or leave; (8) all machines will run on tokens only.

APPEAL NO. 82-013

PAUL SCHENEBECK, Appellant vs. POLICE DEPARTMENT, Respondent

Revocation on January 8, 1982 of peddler's permit at Ulloa and Nineteenth Avenue. The Police Department was represented by Lawrence Wilson, Esq. Officer George Grant also gave testimony supporting the department, as did Ms. Beatrice Fitzgerald who lives at 1810 Ulloa Street, and representative from the Taravel-Parkside Merchants Association who also testified in support of the department. Terence A. Redmond, Esq. spoke in behalf of the appellant, and explained the appellant's difficulties in finding a different location. After some further discussion, the board voted unanimously to concur with the department with the stipulation that the order be stayed until May 1, 1982 or when another permit is issued to Mr. Schenebeck, whichever comes first.

APPEAL NO. 82-023

ROBERT W. MEYER, dba "CABLE CAR HOT DOG CO.," Appellant vs. POLICE DEPARTMENT, Respondent
HEALTH DEPARTMENT DISAPPROVAL

Denial on January 25, 1982 of permit for pushcart peddler at Market Street between Spear and Steuart Streets.

A site inspection had been held at this location on Monday, February 22, 1982, and this matter was presented for further hearing. Lawrence Wilson, Esq. spoke on behalf of the Police Department. Mr. Paul Schwabacher represented the Health Department, stating that drawings for the cart had not been submitted to him. Mr. Royce Charney spoke for the appellant. Also, speaking in support of the department was a representative of Embarcadero Center. After some further discussion, the board voted unanimously to concur with the department.

APPEAL NO. 82-028

GROSVENOR PROPERTIES, LTD., Appellant vs. DEPT. PUBLIC WORKS, Respondent
CITY PLANNING DISAPPROVAL.

Denial on February 11, 1982 of permit to erect a sign at 1060 Van Ness Avenue, under APPLICATION NO. 8200638.

Mr. Sidney Shaw spoke on behalf of the department. The appellant was represented by Mr. Nathaniel Taylor, who showed the board some pictures of the project. After a short discussion ascertaining that the sign was a replacement, not a new sign, the board voted unanimously to overrule the department with the finding that the sign is the same as originally there and the intent of the code was met.

SPECIAL MEETING OF THE BOARD OF PERMIT APPEALS - FEBRUARY 22, 1982

A special meeting of the Board was held on Monday, February 22, 1982 at 12:00 Noon at Market Street between Spear and Steuart Streets regarding Appeal No. 82-023. Present were Vice-President Cerbatos, Commissioner Jackson, and Executive Director Claire C. Pilcher. The other commissioners inspected the site at different times throughout the day. Further hearing will be held at the regular meeting of February 24, 1982.

LOUIS J. GIRAUDO, President

Claire C. Pilcher

Claire C. Pilcher, Executive Director

BOARD OF PERMIT APPEALS
CITY HALL
SAN FRANCISCO, CA 94102

City Librarian

MINUTES

MEETING OF THE BOARD OF PERMIT APPEALS

WEDNESDAY, MARCH 10, 1982

The regular meeting of the Board of Permit Appeals was called to order by President Louis J. Giraudo at 5:20 p.m.

DOCUMENTS DEPT.

MAR 31 1982

SAN FRANCISCO PUBLIC LIBRARY

Present were: Louis J. Giraudo, President
Agripino R. Cerbatos, Vice President
Mattie J. Jackson, Commissioner
Douglas J. Engmann, Commissioner
Richard J. Guggenhime, Commissioner

Also present were: Mr. Don Lim, representing the Department of Public Works, Mr. Robert Passmore for the Planning Department/Zoning Administrator. Lawrence Wilson, Esq., representing the Police Department; Claire C. Pilcher, Executive Director, and Doris Levine, official hearing reporter.

The following request for rehearing was denied, due to no motion from the Board:

APPEAL NO. 82-023

ROBERT M. MEYER, dba "CABLE CAR HOT DOG COMPANY," Appellant vs. POLICE DEPARTMENT, Respondent
PUBLIC HEALTH DEPT. DISAPPROVAL

Denial of permit for pushcart peddler at Market Street between Spear and Steuart Streets. Site inspection held on February 22, 1982. February 24, 1982, Board voted unanimously to concur with the department.

The following request for rehearing was continued to be heard at the meeting of March 17, 1982:

APPEAL NO. 82-025

ROBERT APTON, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Protesting issuance of permit to Arleigh Disney, Jr. to erect a structure at 397 Mullens Street. APPLICATION NO. 8106070. Board voted 4 - 1 on February 17, 1982 to concur with the department with Commissioner Engmann voting to overrule.

The following matters were from the regularly scheduled calendar:

APPEAL NO. 82-031

TIMOTHY SIAW, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Imposition on February 9, 1982 of penalty for work done at 859 Moultrie Street. Mr. Don Lim represented the Department of Public Works. Mr. Siaw spoke in his own behalf. After a short discussion, the Board voted 5 - 1 to reduce the penalty to twice the permit fee ($61.75 x 2 = $123.50).

APPEAL NO. 82-032

ALEX BOBROFF, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Imposition on February 17, 1982 of penalty for work done at 25 Cabrillo Street. Mr. Don Lim spoke on behalf of the Department. The appellant represented himself. A short discussion followed, and the Board voted unanimously to reduce the penalty in half, plus the permit fee. ($117.13 plus $54.75, for a total of $171.88).

APPEAL NO. 82-033

CALVIN WASHINGTON, Appellant vs. POLICE DEPARTMENT, Respondent

Denial on February 2, 1982 of peddler's permit for Hallidie Plaza. The Police Department was represented by Lawrence Wilson, Esq. Mr. Donald Karr, President of the Street Artists' Association spoke on behalf of the Department. Mr. Washington spoke on his own behalf and presented a copy of "Proposition "L" for the Board's study. The Board then voted 4 - 1 to overrule the Department with the finding that Proposition "L" states that a peddler has the right to sell in a Street Artist's slot. Commissioner Engmann voted to concur with the department. The Board then set aside the vote and continued the matter until the meeting of March 17 in order to clarify the wording of the proposition.

APPEAL NO. 82-035

CLAUDIA VIEK, Appellant vs. DEPARTMENT OF PUBLIC WORKS, Respondent

The Department of Public Works was represented by Mr. Don Lim. The appellant spoke on her own behalf, explaining her concerns regarding the suitability of the building and the possible danger. The permit holder, Mr. Robert Erickson, presented the study of Soil Engineering Investigation prepared by P S C Associates, Inc. The matter was then continued for three weeks, for further hearing on March 31, 1982. At that time, Mrs. Viek and her neighbors will submit an engineering study done by an engineering firm of their choice.

APPEAL NO. 81-238 (DEMOLITION) APPEAL NO. 82-027 (SITE PERMIT)

BLUMENFELD ENTERPRISES, Appellant vs. DEPARTMENT PUBLIC WORKS, Respondent

Protesting issuance October 7, 1981, demolition permit to Charles S. Camponella, Inc. at 1230-1250 Van Ness Avenue (UNITED ARTISTS THEATRE), and protesting issuance on February 2, 1982, site permit at the same location (UNITED ARTISTS THEATRE). APPLICATION NO. 8102366.

The appellant in both matters was represented by Peter Bagatelos, Esq., and Ms. Pamela Duffy, attorney for the United Artists Theatre. Mr. Robert Passmore spoke on behalf of City Planning. Several experts gave testimony for both sides of the matter. Ms. Pamela Duffy presented a scale model of the proposed theatre complex. After a lengthy discussion, the Board voted first on the site permit, 3-2 to concur with the department with Commissioners Jackson and Engmann voting to overrule. The Board then voted 4 - 1 to concur with the department on the demolition permit with Commissioner Jackson voting to overrule the department. The department was upheld on both appeals.

APPEAL NO. V82-029

DOROTHY ORRICK/R. FREDERICK HODDER, Appellants vs. ZONING ADMINISTRATOR, Respondent

The following people spoke on behalf of the appellants: Mr. Frederick Hodder, Ms. Gigi Platt, Mrs. Wessells, Ms. Margo Doss, Mr. Jay Darwin. The following people spoke for the department: Mr. Robert Passmore, William McCabe, Esq., representing Carma Developers, and Mr. Jim Manning, Development Manager for Carma Developers. After a lengthy discussion, the Board decided to hold a site inspection on Tuesday, March 16, 1982 at 8:00 a.m., and to continue this matter to the Meeting of March 17, 1982.

APPEAL NO. V82-030

ARMEN G. DER-TOROSSIAN, Appellant vs. ZONING ADMINISTRATOR, Respondent

Denial on January 20, 1982 of rear yard variance at 41 Barcelona Avenue. Mr. Don Lim, representing the Department of Public Works, addressed himself to the reason for objecting to the building permit. Several neighbors spoke on behalf of the department. Mr. Der-Torossian explained his needs for more room for his sight-impaired children. Also speaking on behalf of the appellant were Ms. Linda B. Tabor-Beck, teacher of sight-impaired children and Daniel D. Buchalter, Esq. Upon hearing from both sides, the Board decided to hold a site inspection on Monday, March 15, 1982 at 8:00 a.m., and to hear this matter further at the meeting of March 17, 1982.

APPEAL NO. V82-034

KEITH WILSON, Appellant vs. ZONING ADMINISTRATOR, Respondent

Denial on February 10, 1982 of off-street parking variance at 401 Sixth Street. Mr. Robert Passmore, represented the department. Mr. Keith Wilson spoke on his own behalf. The appellant stated that he had made arrangements for twenty-two parking spaces for the use of restaurant patrons, and the Board voted 4-0 to overrule the department with the finding that the parking spaces (22) had been provided. President Giraudo left the meeting before the vote was taken.

As there was no further business to bring before the board, Acting President Cerbatos adjourned the meeting at 10:40 p.m.

DATE: March 10, 1982

LOUIS J. GIRAUDO, President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

DOCUMENTS DEPT.
MAR 31 1982
PUBLIC LIBRARY

MINUTES

MEETING OF THE BOARD OF PERMIT APPEALS

WEDNESDAY, MARCH 17, 1982

The meeting was called to order at 5:30 p.m. by President Louis J. Giraudo.

Present were: President Louis J. Giraudo
Vice President Agripino R. Cerbatos
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Richard J. Guggenhime

Also present were Mr. Frank Perasso and Mr. Don Lim, representing the Department of Public Works, Chief Edward Murphy for the San Francisco Fire Department, Lawrence Wilson, Esq., representing the Police Department, with several police officers to testify for various appeals. Also present were Claire C. Pilcher, Executive Director, and Doris Levine, the official hearing reporter.

The first matter for consideration was the adoption of the Resolution for the United Artists appeal. The Board voted 4 - 1 to accept the Resolution, with Commissioner Engmann voting not to accept.

Following that vote, the next matter for the Board's consideration was the continued request for rehearing of Appeal No. 82-025, ROBERT APTON, Appellant vs. Department of Public Works, Respondent. Protesting the issuance of permit to Arleigh Disney, Jr. to erect a structure at 397 Mullen Avenue. At the regular meeting of February 17, 1982 the Board voted 4 - 1 to concur with the Department with Commissioner Engmann voting to overrule the department. Chief Murphy of the Fire Department, explained the situation regarding the access for his department. Attorney Ernest Goldsmith spoke for the permit holder, and Mr. Perazzo explained the plans and the future building as this was affected by the Department of Public Works. The Board then voted 4 - 1 not to rehear this matter, with Commissioner Engmann voting to rehear.

APPEAL NO. 82-033

CALVIN WASHINGTON, Appellant vs. POLICE DEPARTMENT, Respondent
Denial on February 2, 1982 of peddler's permit for Hallidie Plaza. This appeal was presented to the Board for further hearing. The Police Department was represented by Lawrence Wilson, Esq. Mr. Washington represented himself. After some discussion, the Board voted unanimously to concur with the department with the stipulation that the appellant work with Officer Hessian to find another Peddler's location, other than Hallidie Plaza which is reserved for Street Artists only.

APPEAL NO. 82-037

JANAN ABDULKARIM, Appellant vs. POLICE DEPARTMENT, Respondent
Denial on March 1, 1982 of permit to operate a taxicab.
Officer Suslow represented the department, explaining the reason for the denial, and the necessity for the Appellant to attend the class given for taxicab drivers.
The Appellant spoke on his own behalf, stating that he felt the residency requirement of one year's time should not be applied to him. After a short discussion, the Board voted 5 - 0 to overrule the department with the stipulation that Mr. Abdulkarim passes the test given by the Police Department.

APPEAL NO.V82-029

DOROTHY ORRICK/R. FREDERICK HODDER, Appellants vs. ZONING ADMINISTRATOR, Respondent
Protesting granting of rear yard variance at Polk and Greenwich Streets. A site inspection was held on this property, Tuesday, March 16, 1982, and this matter is being presented to the Board for further hearing. The Negative Declaration was accepted unanimously by the Board, and because a great deal of evidence had been

APPEAL NO. V82-029 (Continued)

presented to the Board by both sides at the previous meeting, no further evidence was necessary at this time. The Board then voted 3 to 2 to concur with the department, Commissioners Guggenhime and Engmann voted to overrule. The department was upheld.

APPEAL NO. V82-030

ARMEN G. DER-TOROSSIAN, Appellant vs. ZONING ADMINISTRATOR, Respondent

Denial on January 20, 1982 of rear yard variance at 41 Barcelona Avenue.

Mr. Sidney Shaw spoke on behalf of the Zoning Administrator. The Appellant was represented by his attorney, Daniel D. Buchalter, Esq. The Board had held a site inspection on this property on Monday, March 15, 1982, and all the evidence had been presented at the regular meeting of March 10, 1982. Therefore, after a short discussion, the Board voted 4 - 1 to overrule the department, with Commissioner Engmann voting to concur with the department. The motion was made by President Giraudo that the Board accept the findings, and that the five conditions of the variance had been met.

APPEAL NO. 82-038

Somao Ochi, Appellant vs. DEPARTMENT OF PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

Protesting issuance on February 26, 1982 to Yee Cheong, permit to alter building at 751-32nd Avenue. APPLICATION NO. 8200196.

Mr. Don Lim represented the Department of Public Works, and Mr. Sidney Shaw spoke on behalf of City Planning. The permit holder, Mr. Cheong, spoke on his own behalf. The Board then decided to hear this matter further at the meeting of March 24, 1982. Mr. Shaw agreed to remeasure the site of the proposed garage and to bring the results to the next meeting.

The Executive Director, Claire C. Pilcher, presented the 1982-83 Budget to the Board, and they voted unanimously to adopt it.

As there was no further business to bring before the Board, President Giraudo adjourned the meeting at 7:30 p.m.

DATE: March 17, 1982

LOUIS J. GIRAUDO, President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

SPECIAL MEETING OF THE BOARD OF PERMIT APPEALS - MARCH 15, 1982

A special meeting of the Board was held on Monday, March 15, 1982 at 8:00 a.m. at 41 Barcelona Street regarding Appeal No. V82-030. All the Commissioners, with the exception of Commissioner Engmann, were present. The Executive Director, Claire C. Pilcher was also present. This matter will be presented for further hearing at the meeting of March 17, 1982.

SPECIAL MEETING OF THE BOARD OF PERMIT APPEALS - MARCH 16, 1982

A special meeting of the Board was held on Tuesday, March 16, 1982 at the corner of Polk and Greenwich Streets, regarding Appeal No. V82-029. All the Commissioners were present, and Claire C. Pilcher, Executive Director, had examined the site at a previous time. Further hearing will be held at the regular meeting of March 17, 1982.

City Librarian

DOCUMENTS DEPT.

APR 30 1982

SAN FRANCISCO PUBLIC LIBRARY

MINUTES
MEETING OF THE BOARD OF PERMIT APPEALS
WEDNESDAY, MARCH 24, 1982

The regular meeting of the Board of Permit Appeals was called to order by President Louis J. Giraudo at 5:15 p.m.

Present were: Louis J. Giraudo, President
Agripino R. Cerbatos, Vice President
Mattie J. Jackson, Commissioner
Douglas J. Engmann, Commissioner
Richard J. Guggenhime, Commissioner

Also present were: Mr. Don Lim, representing the Department of Public Works, Mr. Sidney Shaw on behalf of the City Planning Department/Zoning Administrator, Lawrence Wilson, Esq., representing the Police Department, Alice Barkley for the City Attorney's Office, Claire C. Pilcher, Executive Director of the Board of Permit Appeals, a number of Police Officers who testified in a variety of appeals, and Doris Levine, official hearing reporter.

The first matter heard by the Board, from the regular calendar, was:

APPEAL NO. 82-042

SETH CURLIN, Appellant vs. DEPT. OF PUBLIC WORKS, Respondent
Imposition on March 11, 1982 of penalty for work done at 592 Folsom Street.

Mr. Don Lim represented the Department of Public Works. The Appellant spoke on his own behalf. After a short discussion, the Board voted unanimously to reduce the investigation fee by half to be $99.90, plus the permit fee of $22.20, for a total of $122.10.

The next matter was a request for the Board to take jurisdiction to hear an appeal regarding 230 Beacon Street. Phillip Siggins, Esq., represented the property owner, Mr. Edward Farrah. Alice Barkley, Deputy City Attorney, stated that because this was a "Stop Work Order," the Board had no jurisdiction in the matter -- that is was neither a denial nor a revocation. Mr. Giraudo asked that both Mr. Siggins and Alice Barkley prepare their arguments in writing, and this matter will be heard again at the next meeting, March 31, 1982.

APPEAL NO. 82-044

SAM BANAYAT, Appellant vs. DEPT. OF PUBLIC WORKS, Respondent
Imposition on March 15, 1982 of penalty for work done at 1290 - 45th Avenue.

The Department of Public Works was represented by Mr. Don Lim. Mr. Banayat spoke on his own behalf. Following a short discussion, the Board voted to reduce the investigation fee to twice the permit fee for a total of $26.00.

APPEAL NO. 82-036

JAMES COOKS, dba "COOKS' ICE CREAM," vs. POLICE DEPARTMENT, Respondent
Revocation on February 16, 1982 of permit for mechanical amusement devices at 3603 Balboa Street.

APPEAL NO. 82-036 (Continued)

Lawrence Wilson, Esq., representing the department called two Police Officers, Officer Campagnoli and Officer Eddie Chow, to speak for the department. Several neighbors also gave testimony opposing the permits. Vince Courtney, attorney for the Appellant, also called neighbors, customers of the store, and employees of Mr. Cooks to speak in his favor. Mr. Cooks also spoke in his own behalf. After a lenghty discussion, the Board voted 4 - 1 to overrule the department with Commissioner Engmann voting to concur. The Board made the following stipulations: (1) That there will be a four months' suspension of permit; (2) Machines will not be operated during school hours; (3) Machines will be closed down at 6:00 p.m. Monday through Thursday; and (4) Machines may be operated Fridays, 3:00 p.m. to 9:00 p.m.; Saturdays, the machines may be operated 10:00 a.m. to 9:00 p.m.; Sundays, the machines may be operated 10:00 a.m. to 6:00 p.m.

APPEAL NO. 82-043

GARY S. PRICE, dba "GARY PRICE HAIR DESIGN/FACIAL CARE," Appellant vs. POLICE DEPARTMENT, Respondent
DEPT. OF PUBLIC WORKS DISAPPROVAL

Mr. Don Lim, representing the Department of Public Works, stated that the matter has been resolved. Lawrence Wilson, Esq., agreed on behalf of the Police Department. After ascertaining the resolution of the problem, the Board voted unanimously to overrule the department.

APPEAL NO. 82-039

WILBUR HOWARD, Appellant vs. DEPT. OF PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

Protesting issuance on March 1, 1982 of permit to EVOLA/SWEENEY to erect building at 3622 Broderick Street.

Mr. Don Lim represented the Department of Public Works. George T. Choppelas, Esq., spoke on behalf of the permit holders, EVOLA/SWEENEY. Thomas Uniack, Esq., represented the Appellants. Upon the assurance of the attorney for the permit holders that the Appellants' solar panels would be relocated and a skylight installed over the kitchen area, the Board voted unanimously to concur with the department.

APPEAL NO. 82-040

LINDSAY J. CHU, dba "COMICS AND DA-KING," Appellant vs. POLICE DEPARTMENT, Respondent

Denial on March 4, 1982 of permit for mechanical amusement devices at 1643 Noriega Street.

Lawrence Wilson, Esq., represented the Police Department, and several neighbors spoke in support of the department's denial. The Appellant's brother, Larry Chu, stated his reasons for the appeal. After a lengthy discussion, the Board voted 4 - 1 to overrule the department with Commissioner Engmann voting to concur. The following stipulations were included: (1) That there will be only two machines; (2) That the permit will be granted for six months only; (3) That the hours of operations will be 3:00 p.m. to 7:00 p.m. Monday through Friday, and 11:00 a.m. to 7:00 p.m. on Saturday and Sunday; and (4) That the proprietor must be on the premises during all hours that the machines are operated. (The 3:00 p.m. to 7:00 p.m. restriction will be enforced only when school is in session, either regular or summer sessions.)

APPEAL NO. 82-041

FAHED M. SALFITI, dba "LEONARD'S SUPERMARKET," Appellant vs. POLICE DEPARTMENT, Respondent

Denial on March 4, 1982 of permit for mechanical amusement devices (5) at 2626 San Bruno Avenue.

The department was represented by Lawrence Wilson, Esq. Several officers were called to speak on behalf of the department. The Appellant spoke on his own behalf, and Richard La Bue also spoke for the Appellant. Several neighbors also opposed the permits. After a lengthy discussion regarding the arrangement for the mechanical amusement devices, including the proposed monitoring of the machines, the Board voted unanimously to concur with the department.

APPEAL NO. 82-038

SOMAO OCHI, Appellant vs. DEPT. OF PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

This matter was presented for further hearing in order that Mr. Sidney Shaw of the City Planning Department could measure the area in question. This had been done by Mr. Shaw and found not to meet the required space for a two-car garage. The permit holder was represented by Mr. Frank Chan. The Board then voted unanimously to overrule the department and deny the permit.

APPEAL NO. 82-045

GLENN WM. GROFF, Appellant vs. DEPT. OF PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

Revocation on March 16, 1982 of permit to alter building at 2548 California Street.

The Department of Public Works was represented by Mr. Don Lim, and Mr. Sidney Shaw spoke on behalf of City Planning. Mr. Groff explained the chronology of the matter. After a short discussion, the Board voted 4 - 1 to overrule the department, with Commissioner Engmann voting to concur. The Board found that the Appellant had detrimentally relied on the department.

APPEAL NO. 82-046

RUSS TAPLIN, Appellant vs. DEPT. OF PUBLIC WORKS, Respondent

Denial on March 17, 1982 of permit to alter building at 2436 Jackson Street.

Mr. Don Lim spoke for the department. Mr. Taplin, the Appellant, explained the reasons for the appeal. After a short discussion, the Board voted unanimously to overrule the department with the finding that inasmuch as there is sufficient light and air, the ceiling height of 7'3", instead of the required 7'6", meets the intent of the code.

Upon completion of the agenda, the Executive Director asked the Board to clarify the question of vacation hours placed upon the appeal of Terrence Mickels, dba "DUKE BOYS," Appeal No. 81-302. The Board affirmed that the school day hours and Sunday curfew would not be in effect during school vacations, but only during regular and summer school sessions and days preceding school days.

MINUTES OF THE MEETING OF MARCH 24, 1982

As there was no further business to bring before the Board, the meeting was adjourned by President Giraudo at 11:00 p.m.

DATE: March 24, 1982

LOUIS J. GIRAUDO, President

CLAIRE C. PILCHER, Executive Director

SF
P30
#3
3/31/82

DOCUMENTS DEPT.
APR 30 1982
SAN FRANCISCO
PUBLIC LIBRARY

MINUTES

MEETING OF THE BOARD OF PERMIT APPEALS

WEDNESDAY, MARCH 31, 1982

The regular meeting of the Board of Permit Appeals was called to order by Acting-President Agripino R. Cerbatos at 5:20 p.m.

Present were: Agripino R. Cerbatos, Vice President (Acting President for this meeting)
Mattie J. Jackson, Commissioner
Douglas J. Engmann, Commissioner
Richard J. Guggenhime, Commissioner

Also present were: Mr. Robert Kelley representing the Department of Public Works, Mr. Sidney Shaw for City Planning/Zoning Administrator, Lawrence Wilson, Esq. representing the Police Department, several officers who testified in various appeals, Alice Barkley for the City Attorney's Office, Inspector Hesse, representing the Fire Department, Claire C. Pilcher, Executive Director, and Doris Levine, the official hearing reporter.

The first matter to be heard was whether or not the Board could take jurisdiction regarding the "Stop Work Order" at 230 Beacon Street. The appellant was represented by Mr. Phillip Siggins, and Ms. Alice Barkley presented the opinion of the City Attorney. Mr. Robert Kelley spoke on behalf of the Department of Public Works, stating their position in this matter. After a lengthy discussion between all parties, the Board voted 3 - 1, with Commissioner Jackson dissenting, to accept jurisdiction regarding the first two permits and unanimously to reject jurisdiction on the third permit. Therefore, jurisdiction was refused in all four matters.

Appeal No. 82-033 was presented as a request for rehearing, with the proviso that it would be reheard only if Officer Hession and the appellant, Calvin Washington, found a mutually satisfactory location for a peddler's permit. The Board voted to grant a rehearing on this condition. Therefore, Appeal No. 82-033 will be presented for rehearing at the meeting of April 14, 1982 if this condition has been met.

The following matters were on the regular calendar:

APPEAL NO. 82-051

ALBERT CIPOLLINA, Appellant vs. DEPT. OF PUBLIC WORKS, Respondent
Imposition on March 23, 1982 of penalty for work done at 2343 Greenwich Street. The department was represented by Mr. Robert Kelley. Mr. Barzoni spoke on behalf of the appellant. After a short discussion, the Board voted unanimously to overrule the department with the stipulation that the investigation fee be reduced to two times the permit fee of $93.60, for a total due the department of $187.20.

APPEAL NO. 82-035

CLAUDIA VIEK, Appellant vs. DEPT. OF PUBLIC WORKS, Respondent
Protesting issuance on February 18, 1982 of permit to Robert Erickson to erect a structure at 28 Bonview Street. APPLICATION NO. 8103152
Mr. Frauenfelder spoke on behalf of the appellant. The Department of Public Works was represented by Mr. Robert Kelley. Mr. Robert Erickson, permit holder, spoke on his own behalf, and presented the study made for him by Jason Vanowall of GSC Soil Engineers. As Mr. Frauenfelder did not have an independent soil report at this time, the Board voted unanimously to concur with the department, and Mr. Frauenfelder was informed that he could request a rehearing within ten days if he obtained a soil report.

APPEAL NO. 82-048

LA FRANCE GRAVES/BURL WALKER, dba "ORIZABA DELI." Appellants vs. POLICE DEPARTMENT, Respondent

Denial on March 2, 1982 of permit for mechanical amusement devices at 286 Orizaba Street. Lawrence Wilson, Esq., represented the department, and called a number of neighbors who gave testimony showing disapproval of the requested permits. The appellants were not present, nor was there any testimony on their behalf. Therefore, the Board voted unanimously to concur with the department.

APPEAL NO. 82-049

FIORY & WONG, Appellants vs. DEPT. OF PUBLIC WORKS, Respondent
FIRE DEPARTMENT DISAPPROVAL

Denial on March 18, 1982 of permit to alter building at 1637 Hyde Street.

Inspector Hesse, on behalf of the Fire Department, added a number of stipulations which were accepted by the representative for the appellants. The Board then voted unanimously to overrule the department with the following stipulations set forth by the Fire Department: (1) Smoke detectors are to be installed in accordance with the smoke detection ordinance on each floor; (2) The basement area will be sprinklered; (3) There will be a fire extinguisher installed on each floor.

APPEAL NO. 82-050

FIORY & WONG, Appellants vs. DEPT. OF PUBLIC WORKS, Respondent
FIRE DEPARTMENT DISAPPROVAL

Denial on March 18, 1982 of permit to alter building at 1126-30 Vallejo Street.

Inspector Hess, representing the Fire Department, added a number of stipulations which were accepted by the appellants' representative. The Board then voted unanimously to overrule the department with the following stipulations: (1) The ground floor must be sprinklered; (2) A second means of egress from the back stairs to the street must be provided; (3) The second egress must be a one-hour corridor to the street.

APPEAL NO. V82-047

ROSA ROSSI, Appellant vs. ZONING ADMINISTRATOR, Respondent

OFF-STREET PARKING VARIANCE SOUGHT: for property at 2088-90 Union Street and 2918-22 Webster Street (northeast corner of Union and Webster Street).

The Zoning Administrator was represented by Mr. Sidney Shaw, stating that this property has not been legally converted to commercial use, and was still registered as residential. Also, that the Master Plan encourages the retention of living units wherever possible. Mrs. Rossi spoke on her own behalf, explaining the reason for using this building as commercial property. After a lengthy discussion, the Board decided to hold a site inspection on Tuesday, April 13, 1982 at 5:00 p.m. and to continue this matter to the meeting of April 14, 1982.

As there was no further business to bring before the Board, the meeting was adjourned at 7:15 p.m.

DATE: March 31, 1982

AGRIPINO R. CERBATOS, Acting President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

CITY LIBRARIAN
PUBLIC LIBRARY

DOCUMENTS DEPT.
MAY 4 1982
SAN FRANCISCO PUBLIC LIBRARY

MINUTES
MEETING OF THE BOARD OF PERMIT APPEALS
WEDNESDAY, APRIL 14, 1982

The meeting of April 14, 1982 was called to order at 5:15 p.m. by President Louis Giraudo.

Present were: President Louis J. Giraudo
Vice President Agripino R. Cerbatos
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann

Also present were: Mr. Don Lim, representing the Department of Public Works; Mr. Sidney Shaw for Zoning Administrator/City Planning; Captain Hess of the San Francisco Fire Department; Lawrence Wilson, Esq., Legal Officer for the Police Department; Claire C. Pilcher, Executive Director for the Board of Permit Appeals; and Doris Levine, the official hearing reporter.

The first matter for the Board's consideration was the following request for rehearing:

APPEAL NO. 82-041

L. FAHED SALFITI, dba LEONARD'S SUPERMARKET," Appellant vs. POLICE DEPARTMENT, Respondent

Denial on March 4, 1982 of permit for mechanical amusement devices (5) at 2626 San Bruno Avenue.

There was no motion from the Board, therefore the request for rehearing was not granted.

The Board then took into consideration the request from Rudolfo Marques that they take jurisdiction beyond the ten-day period. There was no motion from the Board so the request for them to take jurisdiction was denied.

APPEAL NO. V82-047

ROSA ROSSI, Appellant vs. ZONING ADMINISTRATOR, Respondent

OFF-STREET PARKING VARIANCE SOUGHT: for property at 2088-90 Union Street and 2918-22 Webster Street (northeast corner of Union and Webster Streets).

This matter was presented to the Board for further hearing. A site inspection had been held on Tuesday, April 13, 1982 at 5:00 p.m., attended by President Giraudo, Vice President Cerbatos, and Commissioner Engmann. Commissioner Jackson drove by to inspect.

Commissioner Engmann made the following motion: That the variance requested on the Union Street frontage be granted; That the four Union Street units on the second and third floors remain commercial; That the two units on Webster Street on the second and third floors revert to residential upon the expiration of the current leases, but in no event later than January 1, 1987. The Board also found that the five conditions were met, and outlined same. In addition, the Board found that the units in question were unrentable to residential tenants due to the over-commercialization of Union Street over the past decade. The Board voted unanimously to overrule the Zoning Administrator in partially granting the requested variance, and adopted Commissioner Engmann's findings.

APPEAL NO. 82-057

OLA M. WILSON, Appellant vs. POLICE DEPARTMENT, Respondent

Denial on March 22, 1982 of permit for mechanical amusement devices at 1201 Laguna Street.

Lawrence Wilson, Esq., represented the Police Department and called several people who stated their objections to the permit. Ms. Ola Wilson and Mr. Chapman, Appellants, spoke regarding their request for this permit. After a lengthy discussion, the

APPEAL NO. 82-057 (Continued)

Board voted 4 - 0 to overrule the department with the following stipulations: (1) A six-month permit will be granted; (2) The permit will be for one machine only; (3) Machines will not be operated during school hours (regular or summer sessions); (4) Machines will not be operated after 9:00 p.m. seven evenings a week; and (5) Saturday and Sunday machines will operate from opening of business until 9:00 p.m. Commissioner Engmann stated that usually he votes against video machines in a mixed-use store, such as grocery, deli, etc. However, because he feels that Commissioner Guggenhime would vote to grant the one machine, and he does not want to subject everyone to coming again for a rehearing, he voted to overrule the department.

APPEAL NO. 82-054

DR. DAVID A SCHOENSTADT, dba " THE ORIGINAL HOT DOG PLACE," Appellant vs. POLICE DEPARTMENT, Respondent

Denial on March 9, 1982 of permit for additional mechanical amusement devices at 1790 Haight Street.

Lawrence Wilson, Esq., represented the Police Department, and called several people for the department, including Mr. Frank Naccarato, President of the Haight Street Improvement Association, and Sgt. Blount of the Police Department. Mr. Joel Werchowski represented the appellant. Because Dr. Schoenstadt was out of the state, the Board granted a continuance for two weeks. Appeal will be calendared for further hearing on April 28, 1982.

APPEAL NO. 82-033

CALVIN WASHINGTON, Appellant vs. POLICE DEPARTMENT, Respondent

Denial on February 2, 1982 of peddler's permit for Hallidie Plaza (Powell and Market).

Because the appellant was not present for this rehearing, the Board voted 4 - 0 to uphold the department.

APPEAL NO. 82-056

RICHARD CHEN, Appellant vs. DEPT. PUBLIC WORKS, Respondent
FIRE DEPARTMENT DISAPPROVAL

Denial on April 1, 1982, of permit to alter a building at 970 Greenwich Street. APPLICATION NO. 8201774.

Inspector Walter Baine represented the Fire Department, stating that the department had no objections to the appellant not having the wet and dry standpipes, if he observes the following stipulations: (1) that all floors below ground level and the passageway be sprinklered; (2) that the location of proper smoke detectors in the recreation room be according to the code; and (3) if the present 2" water supply pipe cannot accommodate the water supply for the sprinklers, then the appellant will substitute a 3" pipe. The appellant agreed to these stipulations, and the Board voted 4 - 0 to overrule the department with the stipulations asked for by the Fire Department.

APPEAL NO. 82-053

JOHN PHILLIPS, Appellant vs. DEPT. PUBLIC WORKS, Respondent
CITY PLANNING DISAPPROVAL

Denial on March 18, 1982 of permit to alter building at 727 Ashbury Street. APPLICATION NO. 8107201.

The department was represented by Mr. Sidney Shaw. Mr. Don Lim spoke for the Department of Public Works. The appellant was represented by Sarge Holtzman, Esq., who is also a tenant in the subject building. Mr. John Agar, neighbor, also stated his objections to the requested permit. After a lengthy discussion, the Board voted 4 - 0 to uphold the department.

APPEAL NO. 82-055

KWING SHUN KWONG, Appellant vs. DEPT. PUBLIC WORKS, Respondent
CITY PLANNING DISAPPROVAL

Denial on March 26, 1982 of permit to alter building at 17 Tuscany Alley. APPLICATION NO. 8108929.
Mr. Don Lim spoke for the department. The appellant's daughter spoke to the Board on his behalf. After a lengthy discussion between the Board, the Appellant, and the Department, the Board decided to continue this matter to the meeting of April 21, 1982, in order to give the department time to clarify the issues.

APPEAL NO. 82-058

LELAND AND SNEED LEE, Appellant vs. DEPT. PUBLIC WORKS, Respondent
Protesting issuance on March 25, 1982, to Admiral Edwin M. Wilson, Jr. of permit to alter building at 124-126 Pfeiffer Street. APPLICATION NO. 8109350.
This appeal was withdrawn.

SPECIAL MEETING - SITE INSPECTION - APPEAL NO. V82-047

ROSA ROSSI, Appellant vs. ZONING ADMINISTRATOR
OFF-STREET PARKING VARIANCE SOUGHT: This site inspection was held at 2088-90 Union Street and 2918 Webster Street (northeast corner of Union and Webster Streets) at 5:00 p.m. on Tuesday, April 13, 1982. Present were President Giraudo, Vice President Cerbatos, Commissioner Engmann, and Executive Director Pilcher. Commissioner Jackson drove by to inspect the property at a different time. This matter was further heard by the Board at the meeting of April 14, 1982.

DATE: April 14, 1982

LOUIS J. GIRAUDO, President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

---- ----------, ----.

City Librarian

DOCUMENTS DEPT.

MAY 4 1982

SAN FRANCISCO
PUBLIC LIBRARY

M I N U T E S
MEETING OF THE BOARD OF PERMIT APPEALS
WEDNESDAY, APRIL 21, 1982

The regular meeting of the Board of Permit Appeals was called to order at 5:20 p.m. by President Louis J. Giraudo.

Present were: President Louis J. Giraudo
Vice President Agripino R. Cerbatos
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Richard J. Guggenhime

Also present were: Mr. Don Lim, representing the Department of Public Works; Mr. Sidney Shaw for Zoning Administrator/City Planning; Lawrence Wilson, Esq., Legal Officer for the Police Department, and several officers from the Police Department to testify in various matters; Claire C. Pilcher, Executive Director; and Doris Levine, the official hearing reporter.

APPEAL NO. 82-055

KWING SHUN KWONG, Appellant vs. DEPT. OF PUBLIC WORKS, Respondent
CITY PLANNING DISAPPROVAL

Denial on March 26, 1982 of permit to alter building at 17 Tuscany Alley. APPLICATION NO. 8108929.

This appeal was presented to the Board for further hearing after Mr. Don Lim and Mr. Sidney Shaw had inspected the premises. Mr. Shaw reported that there was no evidence of cooking facilities, nor of cooking having been done in the unit in question. Mr. Lim stated that even considering the unit as it now stands, the building would be three stories of occupancy and therefore the lower level must be one-hour fire protected. After some discussion, the Board voted unanimously to concur with the department.

APPEAL NO. 82-052

NEAL McLAUGHLIN, Appellant vs. DEPT. PUBLIC WORKS, Respondent
CITY PLANNING DISAPPROVAL

A site inspection had been held on this property on April 20, 1982 at 8:00 a.m. Vice President Cerbatos and Executive Director Pilcher attended the site inspection. President Giraudo and Commissioners Jackson and Engmann drove by the property later in the day. Vice President Cerbatos summarized his impression of the project, stating that it was very much out of scale with the rest of the neighborhood. Mr. Baumann, on behalf of the permit holder, requesting that the permit not be allowed to die, showed the Board amended drawings of the proposed building. The Board asked him to present a drawing showing how the alterations would impact the rest of the neighborhood, and continued the appeal to the meeting of April 28, 1982.

APPEAL NO. 82-059

SAN FRANCISCANS FOR REASONABLE GROWTH, Appellant vs. DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

Protesting issuance on March 29, 1982 to Eric J. Schou of permit to erect a building at 101 Mission Street (One Spear) APPLICATION NO. 79126395.

Attorney Sue C. Hestor appeared for the appellant. The Board decided to continue this matter for two weeks in order to have an Executive Session on April 28, 1982 regarding this appeal, and to seek clarification from the City Attorney regarding the opinion submitted by Deputy City Attorney Alice Barkley regarding the present litigation of this matter.

APPEAL NO. 82-060

GEORGE AVALOS, Appellant vs. DEPT. PUBLIC WORKS, Respondent
Imposition of penalty on April 9, 1982 for work done at 169 Amber Street. APPLICATION NO. 8200835.
Mr. Don Lim spoke for the Department of Public Works. Mr. Avalos explained that he thought the permit had been taken out, and assumed he was in possession of a valid permit until the inspector stopped the work. After a short discussion, the Board voted unanimously to overrule the department with the stipulation that the investigation fee be reduced to twice the permit fee, and that the appellant is to pay the department $85.20, plus the regular permit fee of $42.60, for a total of $127.80.

APPEAL NO. 82-063

EDWARD ZELAYA, dba "CAROUSEL BAR," Appellant vs. POLICE DEPARTMENT, Respondent
Revocation on April 9, 1982, billiard parlor and mechanical amusement device permits at 2737 Mission Street.
Lawrence Wilson, Esq., represented the Police Department. Appellant's attorney Armando Ibanez, Esq., explained the appeal. Officers Bob Davis and Tony Casillas, spoke for the department. Mr. Edward Zelaya, the appellant, spoke in his own behalf. A number of witnesses appeared for both sides, and after lengthy discussion, the Board decided to vote separately on each issue before them:

Billiard Parlor: Board voted 4 - 1 to concur with the department (Commissioner Jackson voted to overrule), with the finding that the appellant was operating this area in a disorderly manner, and most of the trouble seemed to stem from the crowds around the billiard table.

Video Game: Board voted 5 - 0 to overrule the department on this one device, because the Chief of Police granted a permit in December of 1981, indicating no problems.

Pinball Machine: Board voted 4 - 1 to overrule the department with Commissioner Engmann voting to concur.
The decision of the Board was that the Billiard Parlor permit be revoked, but the video and pinball machine permits may be retained.

APPEAL NO. 82-061

GEORGE KARTSIOUKAS, Appellant vs. DEPT. PUBLIC WORKS, Respondent
CITY PLANNING DISAPPROVAL
Denial on April 9, 1982 of permit to alter a building at 945 Cole Street. APPLICATION NO. 8202145.
Mr. Sidney Shaw spoke for Department of City Planning. Mr. Kartsioukas spoke in his own behalf. After some discussion, the Board voted 4 - 1 to overrule the department (Commissioner Engmann voted to concur) with the finding that inasmuch as the original bolts were still there, and the old awning had been taken down only six months ago, it could be considered as a replacement.

APPEAL NO. 82-062

ANDREW & ANN OGILVIE, Appellant vs. DEPT. PUBLIC WORKS, Respondent
Protesting issuance of permit to David N. Plant on April 2, 1982 to alter a building at 210 Locust Street. APPLICATION NO. 8201322.
Mr. & Mrs. ogilvie explained their reasons for appealing this matter. Some of the neighbors were present and spoke in support of the appeal. Mr. David Plant, the permit holder, and his architect, Mr. Steinwedell, showed pictures of the property, and plans showing the changes they were contemplating. After much discussion, the Board voted unanimously to concur with the department and grant the permit.

As there was no further business to bring before the board, President Giraudo adjourned the meeting at 8:20 p.m.

DATE: April 21, 1982

LOUIS J. GIRAUDO, President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

SPECIAL MEETING - SITE INSPECTION - APPEAL NO. 82-052

NEAL McLAUGHLIN, Appellant vs. DEPARTMENT PUBLIC WORKS, Respondent
CITY PLANNING DISAPPROVAL

Denial on March 24, 1982 of permit to erect a structure at 623/625 - 47th Avenue. Present at the site inspection were Vice President Cerbatos and Executive Director Pilcher. President Giraudo and Commissioners Engmann and Jackson drove by the property during the day. Commissioner Guggenhime was unable to come to inspect the site. This matter was further heard by the Board at the meeting of April 21, 1982.

M I N U T E S

MEETING OF THE BOARD OF PERMIT APPEALS

WEDNESDAY, APRIL 28, 1982

The regular meeting of the Board of Permit Appeals was called to order by President Louis J. Giraudo at 5:10 p.m.

Present were: President Louis J. Giraudo (Left the meeting after the first matter was heard and voted upon)
Vice President Agripino R. Cerbatos
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Richard J. Guggenhime

Also present were Mr. Bob Kelley of the Department of Public Works; Mr. Sidney Shaw representing City Planning/Zoning Administrator; Lawrence Wilson, Esq. on behalf of the Police Department; several officers who gave testimony in several appeals; Inspector Hess representing the Fire Department; Claire C. Pilcher, Executive Director; and Doris Levine, official hearing reporter.

APPEAL NO. 82-052

NEIL McLAUGHLIN, Appellant vs. DEPT. PUBLIC WORKS, Respondent
CITY PLANNING DISAPPROVAL

Denial on March 24, 1982 of permit to erect a structure at 623/625-47th Avenue. APPLICATION NO. 8804731.
As this matter was brought before the board for further hearing, Mr. Bruce Baumann showed drawings and blueprints emphasizing his adjustments to the building in order to bring it into compliance with the other houses on that block. Dr. William Raskoff spoke against the appeal, stating his opposition to the intended changes. After further discussion, the board voted 3 - 2 to overrule the department with President Giraudo and Commissioner Engmann voting to concur with the department. As there were not four votes to overrule, the department was upheld, and the permit granted.

(President Giraudo then left the meeting and Vice President Cerbatos took the chair).

APPEAL NO. 82-054

DAVID A. SCHOENSTADT, dba "The Original Hot Dog Place," Appellant vs. POLICE DEPARTMENT, Respondent
Denial on March 9, 1982 of permit for additional mechanical amusement devices at 1790 Haight Street.
Lawrence Wilson, Esq., representing the department, stated that the addition of four machines (for a total of six) would make this a "mini-arcade." Sgt. Blount also spoke against the appeal. Dr. Schoenstadt explained the operation of the establishment, and showed the layout of the restaurant, indicating where the additional machines would be placed. Several neighbors spoke for and against the appeal. The board then voted 4 - 0 to concur with the department.

APPEAL NO. V82-067

ISOLINDA COSGROVE, Appellant vs. ZONING ADMINISTRATOR, Respondent
Denial on April 16, 1982 of Off-Street Parking Variance at 1265-67 Bay Street.
Mr. Sidney Shaw represented the Zoning Administrator. Mrs. Cosgrove's son spoke in her behalf, explaining the need for the off-street variance and his desire to creat a small unit for his mother to live in. After some discussion by both sides, the board voted 4 - 0 to concur with the Zoning Administrator, finding that the five conditions for the variance had not been met.

APPEAL NO. 82-069

RUSSELL TAPLIN/YAEKO KOMIYANA, Appellants vs. DEPT. PUBLIC WORKS, Respondent
Denial on April 13, 1982 of permit to alter a building at 2436 Jackson Street. APPLICATION NO. 8202519.
Bob Kelley spoke for the Department of Public Works. Russell Taplin explained that

all the plastic piping in question had been there when the property had been purchased, and that he had removed all the plastic that was accessible. He did not feel that the walls should have to be broken into in order to remove the small inaccessible amounts. After a brief discussion, the board voted 4 - 0 to overrule the department with the finding that the appellant had substantially complied with the code.

APPEAL NO. 82-070

LEON TSE, Appellant vs. DEPT. PUBLIC WORKS, Respondent
FIRE DEPARTMENT DISAPPROVAL

Denial on April 22, 1982 of permit to alter a building at 2015 Stockton Street. APPLICATION NO. 8200568.
Mr. Bob Kelley represented the Department of Public Works. Mr. Michael Newman spoke on behalf of the appellant. After a short discussion, the board voted 4 - 0 to overrule the department with the stipulation that all code requirements be met, and that the building be sprinklered and one-hour fire protected.

APPEAL NO. 82-065

J. B. LOUCKS, Appellant vs. DEPT. OF PUBLIC HEALTH, Respondent
CITY PLANNING DISAPPROVAL

Denial on April 7, 1982 of permit for wholesale coffee business at 25 Fillmore Street. Mr. Sidney Shaw spoke for the Department of City Planning. The appellant represented himself. Mr. Shaw stated that this building was never intended for commercial use, only residential use. The appellant's only recourse would be to bring civil suit against the real estate company which sold him this building. Mr. Loucks explained that he only wished to use this building for a warehouse and for roasting coffee for his retail outlets. After some further discussion, the board voted 4 - 0 to concur with the department.

As there was no further business to bring before the board, the meeting was adjourned at 7:20 p.m. by acting president Cerbatos.

DATE: April 28, 1982

LOUIS J. GIRAUDO, President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

SPECIAL MEETING - EXECUTIVE SESSION - 4:00 P.M. APRIL 28, 1982

This executive session was held in the office of the board, Room 154-A, City Hall at 4:00 p.m. April 28, 1982. Present were: Louis J. Giraudo, President; Agripino R. Cerbatos, Vice President; Commissioners Douglas J. Engmann, and Richard J. Guggenhime; and Deputy City Attorneys Burk Delventhal and Alice Barkley. Commissioner Mattie Jackson was absent.

MINUTES
MEETING OF THE BOARD OF PERMIT APPEALS
WEDNESDAY, MAY 5, 1982

The regular meeting of the Board of Permit Appeals was called to order by President Louis J. Giraudo at 5:10 p.m.

Present were: President Louis J. Giraudo
Vice President Agripino R. Cerbatos
Commissioner Douglas J. Engmann
Commissioner Richard J. Guggenhime
Commissioner Mattie J. Jackson was detained and arrived after the second matter was heard and the vote taken

Also present were: Lawrence Wilson, Esq., representing the Police Department, and officers to testify in various appeals; Mr. Don Lim for the Department of Public Works; Lt. Walter Baine for the Fire Department; Nancy Gin for the Department of City Planning; Ms. Claire C. Pilcher, Executive Director; and Doris Levine, the official hearing reporter.

As there were no matters for consideration or requests for rehearing to present to the Board, the first matter of business was:

APPEAL NO. 82-064

WILLIAM JACKSON, Appellant vs. POLICE DEPARTMENT, Respondent
Denial on April 2, 1982 of permit for tow truck operator for E & W Towing Company at 571 Tenth Street.

This appeal was presented for further hearing to enable Mr. Jackson to present letters from his probation officers and from the Sheriff's Department, testifying to his good intentions and ability to hold this job. Mr. Randolph Daar of the Sherrif's Department gave evidence for the appellant, and letters were presented to the Board. The Board then voted 4 - 0 to overrule the department with the stipulation that the permit be issued for a six month period and reviewed at the end of that period.

APPEAL NO. 82-073

TONY FONG, dba "OCEAN CHINESE CORPORATION," Appellant vs. DEPT. OF PUBLIC WORKS, Respondent
FIRE DEPARTMENT DISAPPROVAL
Denial on April 23, 1982 of permit to alter a building at 1934 Clement Street.
APPLICATION NO. 8100463.

Mr. Don Lim spoke for the Department of Public Works; Lt. Walter Baine, for the Fire Department, stated the requirements necessary to approve the permit. The Board then voted 4 - 0 to overrule the department with the following stipulations:
(1) that the lower staircase to the parking lot be widened to 44"; (2) that an exit door be added on the first floor; and (3) that the premises be fully sprinklered.

APPEAL NO. 82-071

PETER BULLOCK, dba "ABIGAIL HOTEL," Appellant vs. DEPT. OF PUBLIC WORKS, Respondent
FIRE DEPARTMENT DISAPPROVAL
Denial on April 12, 1982 of permit to alter a building at 246 McAllister Street.
APPLICATION NO. 8109193.

Mr. Don Lim spoke for the Department of Public Works. Lt. Walter Baine represented the Fire Department. After a short discussion, the Board voted unanimously to overrule the department with the following stipulations: (1) that there be installed

one hour fire separation between the first floor and the rest of the hotel; (2) that the building be sprinklered according to the requirements of the code.

APPEAL NO. 82-072

THANH PHUONG THI PHAM, dba "BANGKOK MASSAGE," Appellant vs. POLICE DEPARTMENT, Respondent

Suspension on April 12, 1982 of massage establishment permit at 1738 Larkin Street.

The Police Department was represented by Lawrence Wilson, Esq., and the appellant was represented by Richard De Jauregui, Esq. After a short discussion, the Board voted unanimously to overrule the department with the stipulation that the permit be issued for a six month period, and that the Police Department review the situation at the end of that time.

APPEAL NO. 82-074

RICHARD C. LAM, dba "PLANTS, GIFTS AND VIDEO MOVIES," Appellant vs. POLICE DEPARTMENT, Respondent

Denial on April 16, 1982 of permit for mechanical amusement devices at 2128 Clement Street.

Lawrence Wilson, representing the Police Department, stated that the reason for denying this permit was because the amusement devices were not compatible with the plants and gifts which were on sale at this location. Also, that the school was within 300 feet of the premises. There had been neighborhood opposition, but no question of good management. The appellants were represented by Vince Courtney, Esq., who stated that the entrance to the store was 302 feet distant from the Alamo School. Several neighbors objected to the appeal. Following some discussion, the board voted 3 - 2 to overrule the department with President Giraudo and Commissioner Engmann voting to concur. The department was upheld.

APPEAL NO. 82-075

CHONG & KENNETH JONG, dba "ICE CREAM DELIGHT," Appellant vs. POLICE DEPARTMENT, Respondent

Denial on April 16, 1982 of permit for mechanical amusement devices at 2205 Clement Street.

The Police Department was represented by Lawrence Wilson, Esq./Vince Courtney, Attorney, representing the appellants, discussed the transfer of the permit, which was the contingency of sale by the proposed new owner. The neighbors and store owners in the neighborhood voiced their objections to the granting of the permit. A discussion between the members of the Board followed, and the Board then voted to overrule the department with the following stipulations: (1) there will be three machines only; (2) the permit is for a six month period only; (3) machines will be closed down at 9:00 p.m. seven days a week; (4) machines will operate from 3:00 p.m. to 9:00 p.m. during regular and summer school sessions; (5) Saturday hours will be from opening of store to 9:00 p.m.; (6) machines will be moved to the back of the store.

APPEAL NO. 82-066

SANFORD GARFINKEL, Appellant vs. DEPT. OF PUBLIC WORKS, Respondent

Denial on April 19, 1982 of permit to alter a building at 2720 Hyde Street. APPLICATION NO. 8200397.

The Department of Public Works was represented by Mr. Don Lim. Mr. Garfinkel spoke for himself. After some discussion, the Board voted unanimously to overrule the department

with the following stipulations: (1) install double sheetrock for proper separation between commercial and residential areas of the building; (2) install sprinklers along side wall; (3) side wall sprinkler heads shall be installed to protect adjoining property.

APPEAL NO. 82-059

SAN FRANCISCANS FOR REASONABLE GROWTH, Appellant vs. DEPT. OF PUBLIC WORKS, Respondent CITY PLANNING APPROVAL

Protesting issuance on March 29, 1982 to Eric J. Schou of permit to erect a building at 101 Mission Street (One Spear Street).
APPLICATION NO. 79126395.

Ms. Sue Hestor represented the appellant; Ms. Nancy Gin represented City Planning; and Philip Martin, Esq., of Pettit and Martin represented the permit holder. The architect for the project exhibited drawings of the layout, along with a scale model of the building. A lengthy discussion by all concerned parties ensued. Following the discussion, the Board voted 4 - 1 to concur with the department, with the dissenting vote cast by Commissioner Engmann as he found that this building was not in the best interests of San Francisco.

As there was no further business to bring before the Board, the meeting was adjourned at 9:20 p.m.

Date: May 5, 1982

LOUIS J. GIRAUDO, President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

M I N U T E S

MEETING OF THE BOARD OF PERMIT APPEALS

WEDNESDAY, MAY 12, 1982

The regular meeting of the Board of Permit Appeals was called to order by President Louis J. Giraudo at 5:25 p.m.

Present were: President Louis J. Giraudo
Vice President Agripino R. Cerbatos
Commissioner Douglas J. Engmann
Commissioner Mattie J. Jackson

Commissioner Richard J. Guggenhime was absent.

Also present were: Lawrence Wilson, Esq., representing the Police Department, as well as Officers Mahoney and Gallagher; Mr. Don Lim for the Department of Public Works; Sidney Shaw for the Department of City Planning; Ms. Claire C. Pilcher, Executive Director; and Doris Levine, official hearing reporter.

Two requests for rehearing were presented to the Board:

APPEAL NO. 82-054

DAVID A SCHOENSTADT, dba "THE ORIGINAL HOT DOG PLACE," Appellant vs. SAN FRANCISCO POLICE DEPARTMENT, Respondent

Denial on March 9, 1982 of permit for additional mechanical amusement devices at 1790 Haight Street.

APPEAL NO. V82-067

ISOLINDA COSGROVE, Appellant vs. SAN FRANCISCO ZONING ADMINISTRATOR, Respondent.

Denial on April 16, 1982 of Off-Street Parking Variance at 1265-67 Bay Street.

As there was no motion in either matter, both requests for rehearing were denied.

The first matter on the regular agenda to come before the Board was:

APPEAL NO. 82-080

BEVERLY MEISENBACH, Appellant vs. DEPT. OF PUBLIC WORKS, Respondent

Imposition on April 30, 1982 of penalty for work done at 678 - 28th Street. APPLICATION NO. 8203359.

Mr. Don Lim represented the Department of Public Works, and the appellant spoke for herself. Upon finding that the appellant had no awareness of the need to obtain a permit for the addition of a deck to her own home, the Board voted unanimously upon motion of President Giraudo to reduce the penalty to two times the regular fee for a total of $24.00.

APPEAL NO. 82-084

KYUNG CHA KIM, dba "SAM'S VALLEY LIQUOR," Appellant vs. POLICE DEPARTMENT, Respondent

Denial on April 23, 1982 of permit for mechanical amusement devices at 25 Leland Avenue.

Lawrence Wilson, Esq., and Officer Mahoney presented the Police Department's case. Henry A. Ordenstein spoke on behalf of the appellant, stating that she was a widow with five children, and the store was her sole means of support. She has been robbed nine times, and wants the machines so that patrons will be on the premises and she will feel more secure. The Board then voted unanimously to grant appellant two machines, upon motion of President Giraudo, with the following stipulations: (1) machines are not to be operated by anyone under the age of 18 years of age from 7 a.m. to 3 p.m. on school days; (2) machines not to be operated after

APPEAL NO. 82-084 (Continued)

10 p.m. on any evening preceding a schoolday, nor after 11 p.m. on evenings not preceding a school day (regular and summer sessions in both cases).

APPEAL NO. 82-083

MIKE IBRAHIM, dba "NILES GROCERY," Appellant vs. POLICE DEPARTMENT, Respondent

Denial on April 27, 1982 of permit for mechanical amusement devices at 2201 Geneva Avenue.

Lawrence Wilson, Esq. and Officer Mahoney presented the Police Department's case stating that this was a high crime reporting area, and that Mr. Ibrahim had had trouble in his store, including one gunshot incident and allegations of sales of liquor to a minor. Mr. Ibrahim stated that he had already purchased four machines, assuming he would have no difficulty obtaining a permit. After a lengthy discussion, President Giraudo made the motion that the permit be granted for two machines only, with the following stipulations: (1) permit granted for six months; (2) machines are not to be operated by anyone under the age of 18 years from 7 a.m. to 3:00 p.m. on school days; (3) machines not to be operated later than 10 p.m. on evenings preceding school days, nor after 11 p.m. on evenings not preceding school days (regular and summer school session); (3) machines are to be in plain view of the cashier and/or sandwich counter. Because Commissioner Engmann voted to uphold the department, there were only three votes for the appellant. Therefore he was granted an automatic rehearing because there was only a four-member Board, and the matter was calendared for May 26, 1982.

APPEAL NO. 82-076

ANSELMO A. ANDRES, JR., dba "SEVEN-ELEVEN FOOD STORE," Appellant vs. POLICE DEPARTMENT, Respondent

Revocation on April 23, 1982 of permit for mechanical amusement devices at 2200 Bayshore Boulevard.

Lawrence Wilson, Esq. and Officer Mahoney represented the Police Department, and Mr. Andres, the appellant, spoke on his own behalf. The testimony was that many school children had had to be removed from Mr. Andres' premises on many occasions during school hours. Mr. Andres stated that he had no stipulations on his permit. Because of his unwillingness to cooperate voluntarily, the Board, upon motion of Commissioner Engmann, voted unanimously to overrule the Department with the following stipulations: (1) the permit is suspended for six months; (2) thereafter, machines are to be turned off from 9 a.m. to 3 p.m. on school days; (3) machines are to be turned off at 10 p.m. on nights preceding a school day and 11 p.m. on nights not preceding a school day, regular and summer school sessions; and (4) during suspension the machines are to be made totally inaccessible by placing in storage or turning to face the wall.

APPEAL NO. 82-079

LAKIREDDY V. REDDY, dba "PASAND RESTAURANT," Appellant vs. POLICE DEPARTMENT, Respondent
CITY PLANNING APPROVAL

Denial on April 23, 1982 of permit for place of entertainment at 1875 Union Street.

Lawrence Wilson, Esq., represented the Police Department's case, and Officer John Gallagher testified on behalf of the Department, as did numerous neighbors including Shirley Jacobs of Golden Gate Valley Neighborhood Association, Donna Morrison, Susan Lee, and Patricia Bravo. Bob Dougherty spoke on behalf of the appellants, stating that they wanted no more than four instruments without amplification. After much discussion, Commissioner Engmann made a motion to uphold the department and deny the permit, but stated that he would vote for a rehearing for one instrument. President Giraudo also voted to overrule with the stipulation that only a sitar be played. Commissioner Jackson also voted to overrule, but with the stipulation that there be two compatible instruments. The department was upheld.

APPEAL NO. 82-089 and APPEAL NO. 82-090

SAN FRANCISCANS FOR REASONABLE GROWTH, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Protesting issuance on April 27, 1982 to Emerald Fund, permit to alter a building at 490 Second Street, and to alter a building at 480 Second Street. APPLICATION NO. 8109875.

Sue Hestor, attorney for San Franciscans for Reasonable Growth, stated that she was withdrawing the above two appeals, but wanted to state for the record that there is 860,000 square feet of office space pending for south of Market Street. She has met with Dean Macris and Robert Passmore of the Department of City Planning, and they have assured her that these matters will be brought to the attention of the Planning Commission. She further stated that if they were not, she would appeal each permit.

APPEAL NO. V82-081

NORMAN T. LARSON, Appellant vs. ZONING ADMINISTRATOR, Respondent

Denial of Off-Street Parking Variance for property at 353-355 Frederick Street. Sidney Shaw presented the Zoning Administrator's case, stating that this property has in no way met the five conditions. The appellant gave testimony as to the severe parking problem also, but argued for the need for additional small housing units. After discussion, the Board, upon motion of President Giraudo, voted unanimously to uphold the Zoning Administrator.

The remaining items on the calendar (Appeals 82-078 and 82-068) were continued to May 26, 1982, and Appeal No. 82-082 was withdrawn prior to the hearing.

The Director called the Commissioners' attention to the letter from Commissioner Engmann which they had each received, together with the proposed changes in the Building Code with respect to the fire zone, and all agreed to review same, after which it will be circulated to the concerned departments and the Mayor for review, and then referred to the City Attorney's office by one of the Supervisors.

There being no further business to come before the Board, the meeting was adjourned at 7:35 p.m.

DATE: MAY 12, 1982

LOUIS J. GIRAUDO, President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

DOCUMENTS DEPT.

JUN 14 1982

SAN FRANCISCO
PUBLIC LIBRARY

MINUTES

MEETING OF THE BOARD OF PERMIT APPEALS

WEDNESDAY, MAY 26, 1982

The regular meeting of the Board of Permit Appeals was called to order by President Louis J. Giraudo at 5:05 p.m.

Present were: President Louis J. Giraudo
Vice President Agripino R. Cerbatos
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Richard J. Guggenhime.

Also present were: Mr. Don Lim, representing the Department of Public Works; Ms. Nancy Gin for the Department of City Planning and Zoning Administrator; Ms. Alice Barkley, Deputy City Attorney, representing the City Attorney's Office; Lawrence Wilson, Esq., Officer Farrell Suslow and Officer Cruz, representing the Police Department.

The following requests for rehearing were denied:

APPEAL NO. 82-079

LAKIREDDY V. REDDY, dba "PASAND RESTAURANT," Appellant vs. POLICE DEPARTMENT, Respondent
CITY PLANNING APPROVAL

Denial on April 23, 1982 of permit for place of entertainment at 1875 Union Street, Denied for lack of a motion from the Board.

APPEAL NO. 82-076

ANSELMO A. ANDRES, JR., dba "SEVEN-ELEVEN STORE," Appellant vs. POLICE DEPARTMENT, Respondent

Revocation on April 23, 1982 of permit for mechanical amusement devices at 2200 Bayshore Boulevard.
Denied due to lack of a motion from the Board.

APPEAL NO. 82-074

RICHARD C. LAM, dba "PLANTS, GIFTS & VIDEO MOVIES," Appellant vs. POLICE DEPARTMENT, Respondent

Denial on April 16, 1982 of permit for mechanical amusement devices at 2128 Clement St. Commissioners Cerbatos, Engmann and Jackson voted to grant a rehearing. President Giraudo and Commissioner Guggenhime voted not to grant a rehearing; rehearing denied.

APPEAL NO. 82-059

SAN FRANCISCANS FOR REASONABLE GROWTH, Appellant vs. DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

Protesting issuance on March 29, 1982 to Eric J. Schou of permit to erect a building at 101 Mission Street (One Spear Street). APPLICATION NO. 79126395. Commissioner Engmann voted to rehear. The other four commissioners voted not to rehear. Rehearing denied.

The first matter from the regular agenda to come before the Board was:

APPEAL NO. 82-085

MAURICE STERGIOS, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Denial on May 6, 1982 of permit to alter a building at 2150 Vallejo Street. Mr. Don Lim represented the Department of Public Works, and the appellant spoke for himself. Mr. Stergios stated that putting in the handrail would spoil the appearance of the building. The Board voted unanimously to concur with the department with the finding that this handrail will be used by the tenants and must be installed for safety reasons.

APPEAL NO. 82-098

KLAUS WIRSING, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Imposition on May 17, 1982 of penalty for work done at 672 Twenty-Eighth Street.
Mr. Don Lim represented the Department of Public Works. The appellant spoke for himself stating that the contractor said no permit was needed. Mr. Lim stated that the permit was denied as the roof must be checked to be sure it will maintain the additional weight of the recirculated water into the solar panels. The board unanimously voted to concur with the department with the stipulation that the investigation fee be reduced to one quarter of that set by the department. The investigation fee was reduced to $95.85, plus the regular fee of $42.60, for a total of $138.45 to be paid to the Department of Public Works.

APPEAL NO. 82-078

RICHARD EVERETT CRIST, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Imposition on April 23, 1982 of penalty for work done at 548 Fourth Street.
The Department of Public Works was represented by Mr. Don Lim. Mr. Crist spoke in his own behalf. After a short discussion, the Board voted unanimously to overrule the department and reduce the penalty to two times the permit fee of $35.75 for a total of $71.50.

APPEAL NO. 82-083

MIKE IBRAHIM, dba "NILES GROCERY," Appl. vs. POLICE DEPARTMENT, Respondent

Denial on April 27, 1982 of permit for mechanical amusement devices at 2200 Bayshore Boulevard.
This matter was presented to the Board for rehearing, and all evidence had been heard at the previous meeting. After a short discussion, the Board voted 4 - 1 to overrule the department with Commissioner Engmann voting to uphold the department, with the following stipulations: (1) There will be only two machines; (2) Permit will be granted for a six-month period; (3) Machines are not to be operated from 7:00 a.m. to 3:00 p.m. on school days; (4) Machines not to be operated later than 10:00 p.m. on any day preceding a school day, nor after 11:00 p.m. on any day not preceding a school day; (5) machines are to be in plain view of the cashier and/or sandwich counter.

APPEAL NO. 82-086

UNITED AMERICAN POLISH SOCIETY, Appellant vs. POLICE DEPARTMENT, Respondent
DEPT. PUBLIC WORKS DISAPPROVAL
CITY PLANNING DISAPPROVAL

Denial on April 29, 1982 of permits for dance hall keeper and place of entertainment at 3040 Twenty-Second Street.
Lawrence Wilson, Esq. represented the Police Department. The appellant was represented by Mr. Dominik Widak, President of the Polish Societies of San Francisco, and Mr. Jesus Camacho, caretaker of the hall. Many neighbors and members of the organization spoke in behalf of the permits. The Board voted 5 - 0 to overrule the department as to both dance hall and and place of entertainment permits with the following stipulations: (1) Permits granted for a six-month period; (2) Permits to be valid only on Saturdays until 12:00 midnight; (3) Appellant must meet all requirements of the Department of Public Works, including proper egress.

APPEAL NO. 82-087

THOMAS JONES, Appellant vs. POLICE DEPARTMENT, Respondent

Denial on May 6, 1982 of permit to operate a taxicab.
Lawrence Wilson, Esq. represented the Police Department. The appellant, Thomas Jones stated his own case. Mr. Wilson stated that at the time of the previous appeal, the appellant had been granted a six-month permit which he did not renew, and presented various charges against the appellant. After some discussion by the members of the Board, they voted 3 - 2 to concur with the department, with Commissioners Jackson and Guggenhime voting to overrule. As four votes are needed to overrule, the department was upheld.

APPEAL NO. 82-088

NRY PEREZ, JR., dba "QUALITY BUY & SELL," Appellant vs. POLICE DEPARTMENT, Respondent

nial on May 6, 1982 of permit for second-hand dealer at 2138 Mission Street.
wrence Wilson, Esq., and Officer Cruz spoke for the Police Department with the
ssion Merchants Association stating their objections to the permit. Robert
nzales, Esq., attorney for the appellant, described the business experience and
e aims of the appellant. Store owners in the area spoke on behalf of the Police
partment. President Giraudo stated that he wished to continue the matter for one
ek to give him a chance to visit the Mission District and become better acquainted
th the street in question. Matter was continued to the meeting of June 2, 1982.

APPEAL NO. 82-093

CIFIC UNION DEVELOPMENT, Appellant vs. DEPT. PUBLIC WORKS, Respondent

nial on May 6, 1982 of permit to alter a building at 1901 Kearny Street.
PLICATION NO. 8203377.
. Don Lim represented the Department of Public Works. Mr. Joel Tomei, the architect
r the project, spoke on behalf of the appellant. The Board voted 5 - 0 to overrule
e department with the stipulation that the corridor height be raised to a clear
ven feet outside the doorway.

APPEAL NO. 82-077

ED KOOPMAN, Appellant vs. DEPT. PUBLIC WORKS, Respondent
FIRE DEPARTMENT DISAPPROVAL
HEALTH DEPARTMENT DISAPPROVAL

nial on April 22, 1982 of permit to alter a building at 2259 - 2277 Van Ness Avenue.
PLICATION NO. 8110624.
e Department of Public Works was represented by Mr. Don Lim. The appellant was
presented by Harley C. Hardesty, Esq. After a short discussion, the Board voted
animously to overrule the department, with the following stipulations: (1) that
e two-hour fire requirement be met; and (2) that all Health Department requirements
met.

APPEAL NO. 82-097

SON, INC., Appellant vs. DEPT. PUBLIC WORKS, Respondent
CITY PLANNING DISAPPROVAL

nial on May 17, 1982 of permit to alter a building at 557 Castro Street.
PLICATION NO. 8203296.
. Dan Sullivan, representing the City Planning Department, stated that the permit
s disapproved in error, and the Department disapproval was withdrawn.

APPEAL NO. 82-092

TH CURLIN, Appellant vs. DEPT. PUBLIC WORKS, Respondent

nial on May 11, 1982 of permit to alter a building at 592 Folsom Street.
Don Lim represented the Department of Public Works as to seismic and other
uirements. The appellant, Mr. Seth Curlin, explained that the building will be
d only for a five-year period, and the Board voted 5 - 0 to overrule the department
h the finding that the seismic requirements for the building will not be enforced,
with the following stipulations: (1) There will be a plaque at the entrance
ting, "THIS BUILDING DOES NOT CONFORM TO THE SEISMIC REQUIREMENTS OF THE SAN
NCISCO BUILDING CODE," (2) The occupancy of the second floor will be terminated
later than January 1, 1988; (3) Offices on the second floor are to be occupied
the appellant, Seth Curlin and Associates, only.

APPEAL NOS. 82-094, 82-095, and 82-096

SAN FRANCISCANS FOR REASONABLE GROWTH, Appellants vs. DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

Matters common to these three appeals were first presented to the Board at the beginning of these hearings, then the individual appeals were heard as follows:

APPEAL NO. 82-094: Protesting issuance on May 6, 1982 to One Sansome Associates, permit to erect a building at One Sansome Street. APPLICATION NO. 8101944.
Ms. Sue Hestor represented the appellants, and the permit holder was represented by William F. McCabe, Esq. of the law firm of Jacobs, Sills & Coblentz. Alice Barkley, Deputy City Attorney, and Ms. Nancy Gin represented City Planning.

The Board certified that they had read and considered the EIR and adopted the proposed findings. The Board then voted 4 - 1 to concur with the department with Commissioner Engmann voting to overrule the department, as he found that the permit was not in the best interest of the City and would have an adverse effect on public transportation, freeways and City streets.

APPEAL NO. 82-095: Protesting issuance on May 6, 1982 to Crow-Spieker, permit to erect a building at 655 Montgomery Street. APPLICATION NO. 8108844.
Ms. Sue Hestor represented the appellants, and attorneys for the permit holders were Howard Ellman, Esq., and Kenneth Burns, Esq. Ms. Alice Barkley, Deputy City Attorney, and Ms. Nancy Gin represented City Planning.

The Board certified that they had read and considered the EIR and adopted the proposed findings. The Board then voted 4 - 1 to concur with the department with Commissioner Engmann voting to overrule the department, as he found that the permit was not in the best interest of the City and would have an adverse effect on public transportation, freeways and City streets.

APPEAL NO. 82-096: Protesting issuance on May 6, 1982 to Spear Street Investors, permit to erect a building at 160 Spear Street. APPLICATION NO. 8009639. Ms. Sue Hestor represented the appellants, and Robert A. Thompson, Esq. of the law firm of PETTIT & MARTIN appeared for the permit holder. Ms. Alice Barkley, Deputy City Attorney, and Ms. Nancy Gin represented City Planning.

The Board certified that they had read and considered the EIR and adopted the proposed findings. The Board then voted 4 - 1 to concur with the department with Commissioner Engmann voting to overrule the department, as he found that the permit was not in the best interest of the City and would have an adverse effect on public transportation, freeways and City streets

There being no further business to bring before the board, President Giraudo adjourned the meeting at 11:15 p.m.

DATE: May 26, 1982

LOUIS J. GIRAUDO, President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

DOCUMENTS DEPT.

JUN 14 1989

SAN FRANCISCO
PUBLIC LIBRARY

MINUTES

MEETING OF THE BOARD OF PERMIT APPEALS

WEDNESDAY, JUNE 2, 1982

The meeting was called to order at 5:25 p.m. by President Louis J. Giraudo

Present were: Louis J. Giraudo, President
Agripino R. Cerbatos, Vice-President
Mattie J. Jackson
Douglas J. Engmann
Richard J. Guggenhime

Also present were: Mr. Don Lim representing the Department of Public Works; Lawrence Wilson, Esq. and Officers Hesselroth and Hession representing the Police Department; Captain Hesse of the Fire Department; Ms. Claire C. Pilcher, Executive Director of the Board of Permit Appeals and Ms. Doris Levine, Official Hearing Reporter.

There were no requests for rehearing to present to the Board.

As Commissioner Jackson did not arrive until 5:45, the Police matters were postponed to be heard by a five member Board at that time.

APPEAL NO. 82-099

MISSOURI SALVAGE, INC., Appellant vs. DEPT. PUBLIC WORKS, Respondent
FIRE DEPARTMENT DISAPPROVAL
HEALTH DEPARTMENT DISAPPROVAL

Denial on May 12, 1982 of permit to alter a building at 1318 Eighteenth Street. APPLICATION NO. 8202163.

Captain Hesse of the Fire Department stated that he had made an on site inspection and the Fire Department's disapproval will be withdrawn as the Appellant has agreed to meet the following stipulations: (1) the first floor and the basement floor will be sprinklered; (2) Appellant will submit the plans for the sprinklers to the Bureau of Building Inspection; (3) one-hour fire protection separating the B-3 portion of the building from the I occupancy dwelling above; (4) illuminated exit signs and emergency lighting to be installed; (5) plaque limiting occupancy to 100 people will be placed at the entrance to the premises. The Board then voted 4 - 0 to overrule the department, and to accept these stipulations. (Commissioner Jackson was not present for this vote.)

APPEAL NO. 82-104

GENNADY BRONSKY, dba "BRONSKY PLUMBING," Appellant vs. DEPT. PUBLIC WORKS, Respondent

Imposition on May 27, 1982 of penalty for work done at #7 Laurel Street.

Mr. Don Lim spoke for the Department of Public Works. Mr. Bronsky spoke on his own behalf, presenting to the Board an envelope showing the forwarding to his new address had been delayed by the Post Office for two months. The Board then voted 4 - 0 to reduce the penalty to two times the permit fee, ($37.25) for a total due the department of $74.50. (Commissioner Jackson was not present for this vote.)

APPEAL NO. 82-101

HECTOR BASTIAS, dba "CURANTO'S RESTAURANT," Appellant vs. DEPT. PUBLIC WORKS, Respondent

Protesting issuance on May 6, 1982 to Norman Chow, permit to alter a building at 1329 Columbus Avenue. APPLICATION NO. 8203182.

Mr. Hawk Lee, design engineer for the permit holder, Mr. Norman Chow, stated that they will do everything possible to minimize inconvenience and to keep the sidewalk clear so the public would have access to the Appellant's restaurant. The Board voted 4 - 0 to concur with the department. (Commissioner Jackson was not present for this vote.)

Commissioner Jackson then arrived at the meeting.

APPEAL NO. 82-088

HENRY PEREZ, JR., dba "QUALITY BUY AND SELL," vs. POLICE DEPARTMENT, Respondent

Lawrence Wilson, Esq., representing the Police Department stated that the Chief of Police would consider accepting a six-month permit, if the Appellant understands that he must apply again at the end of that period. President Giraudo stated that he visited the Mission Street location, to acquaint himself with the problems of that area, and to clarify the difference between a pawn shop and a second-hand store, and the type of operation the Appellant is requesting. Following a discussion, the Board voted 4 - 1 to overrule the department (Commissioner Engmann voting to concur with the department) with the following stipulation: that the permit be granted for a six-month period, and will not be automatically renewable. The Appellant must, before expiration of the permit, reapply.

APPEAL NO. 82-091

PHILIP L. SEGAL, Appellant vs. POLICE DEPARTMENT, Respondent

Denial on May 6, 1982 of permit for mechanical amusement devices at 991 Market Street.

Lawrence Wilson, Esq., represented the Police Department. Inspector Hesselroth, Officer Hession spoke for the Police Department. Also, speaking in support of the Police Department's denial of the permit were: Ms. Jean Bauman, Bernard Averbuch, Joseph Korette, Gerald Antipa, and Herbert Gemple, Esq. Patrick S. Hallinan, Esq. represented the Appellant, calling many witnesses who testified to his good character, as well as several Police Officers, Inspector Armand Gordon, Officer Carl Decker, and Wayne De Hart. The Appellant also spoke in his own behalf, stating that he would be on the premises most of the time, plus two off-duty Police Officers as security guards. There would also be a glass booth for the person making change. During the discussion of the Board, Vice-President Cerbatos noted that Mr. Segal, as owner of the building, would obviously do nothing to harm or deteriorate his own building. Commissioner Engmann stated that the requested number of machines was too great for the space on the premises, and he hesitated to approve a permit as Mr. Segal had had no experience with video games. Mr. Hallinan requested a continuance for one week in order that they might locate an experienced manager who could operate the business and teach Mr. Segal. This was granted, and the matter was continued to the meeting of June 9, 1982.

APPEAL NO. 82-105

FRANCES WALKER, Appellant vs. POLICE DEPARTMENT, Respondent

Suspension (five days) on May 24, 1982 of permit to operate a taxicab.

Lawrence Wilson, Esq. represented the Police Department. the Appellant spoke on her own behalf. The person who complained about the Appellant not convoying her (Miss Botts) was not present, but testified by affidavit. Mr. Wilson also submitted the taxicab waybills to the Board. Commissioner Jackson made the motion that the suspension be reduced to two and a half days, instead of the five days requested by the department. The Board then voted 3 - 2 on that motion with President Giraudo and Commissioner Engmann voting to concur with the department. The department was upheld.

Commissioner Cerbatos then left the meeting.

APPEAL NO. 82-103

SPIRON & BEATRICE TENTES, Appellant vs. DEPT. PUBLIC WORKS, Respondent

The Department of Public Works was represented by Mr. Don Lim. The permit holder, Mrs. Helen Orth was not present. Mr. and Mrs. Tentes spoke of their concerns regarding the permit issued by the Department of Public Works. After some discussion, the Board voted 4 - 0 to concur with the department.

As there were no further matters to be considered, the meeting was adjourned by President Giraudo at 8:50 p.m.

DATE: JUNE 2, 1982

LOUIS J. GIRAUDO, President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

BOARD OF PERMIT APPEALS
CITY HALL
SAN FRANCISCO, CA 94102

CITY LIBRARIAN
PUBLIC LIBRARY

DOCUMENTS DEPT.

JUN 21 1982

SAN FRANCISCO PUBLIC LIBRARY

MINUTES

MEETING OF THE BOARD OF PERMIT APPEALS

WEDNESDAY, JUNE 9, 1982

The regular meeting of the Board of Permit Appeals was called to order by President Louis J. Giraudo at 5:10 p.m.

Present were: President Louis J. Giraudo
Vice-President Agripino R. Cerbatos
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Richard J. Guggenhime

Also present were: Mr. Don Lim representing the Department of Public Works; Mr. Sidney Shaw for City Planning; Lawrence Wilson, Esq. of the San Francisco Police Department; Ms. Claire C. Pilcher, Executive Director of the Board of Permit Appeals and Ms. Doris Levine, Official Hearing Reporter.

Commissioner Jackson was present only for Appeal Nos. V82-106, 82-091, and 82-111, and to set aside the original vote on the request for rehearing on Thomas Jones (Appeal No. 82-087), voting to grant a rehearing with a vote of 4 - 1, with Commissioner Engmann voting to deny the rehearing. This appeal will be reheard at the meeting of June 16, 1982.

The following request for rehearing was denied due to lack of motion from the Board:

APPEAL NO. 82-093

PACIFIC UNION DEVELOPMENT, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Denial on May 6, 1982 of permit to alter a building at 1901 Kearny Street.

The vote of the Board on May 26, 1982 (5 - 0 to overrule the department) with the stipulation that the corridor height be raised to a clear seven feet outside the doorway, is final. The Board then heard the items from the calendar with four commissioners present (Commissioner Jackson absent).

APPEAL NO. 82-108

LIANG LEE, dba "UNITED VENUS CORPORATION," Appellant vs. DEPT. PUBLIC WORKS, Respondent

Imposition of penalty on June 1, 1982 for work done at 1166 Howard Street.

Mr. Don Lim represented the Department of Public Works, and the Appellant, Liang Lee, spoke for himself. The Board then voted 4 - 0 to overrule the department with the stipulation that the penalty be reduced to two times the permit fee of $52.80, for a total due the department of $105.60.

APPEAL NO. 82-110

LAURENCE O. HEATH, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Imposition of penalty on June 2, 1982 for work done at 119 Jules Avenue.

Mr. Don Lim spoke for the Department of Public Works, and the Appellant, Laurence Heath, represented himself. The Board then voted 4 - 0 to reduce the penalty by half, for a total of $56.00 due the department.

APPEAL NO. 82-102

ROBERT C. ELKUS, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Denial on May 21, 1982 of permit to alter a building at 469 Magellan Avenue. APPLICATION NO. 8203393.

The Appellant proposed the alternative of digging a hole and filling it with gravel to provide drainage instead of complying with the San Francisco Plumbing Code. The Board then voted 4 - 0 to overrule the department with the stipulation that the Appellant have a hole dug (at least one foot square) and have it filled with gravel to provide drainage.

APPEAL NO. 82-107

ROSIE L. NEWTON, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Protesting issuance on May 20, 1982 to Ron Finley, permit to alter a building at 55 Hiliritas Avenue.
APPLICATION NO. 8102171.

Ms. Newton stated her concerns regarding the building by the permit holder. Mr. Finley, permit holder, spoke regarding the changes he had made to accomodate the Appellant's concerns. Mr. Don Lim, represented the Department of Public Works. The Board then voted 4 - 0 to concur with the department with the stipulation that there be no windows on the side of the building facing Ms. Newton's property.

APPEAL NO. 82-117

PYRENEE LTD., dba "PYRENEE REAL ESTATE HOLDING COMPANY," Appellant vs. DEPT. PUBLIC WORKS, Respondent

Denial on June 2, 1982 of permit to alter a building at 1626-1630 Union Street. APPLICATION NO. 8203052.

The Department of Public Works was represented by Mr. Don Lim. Mr. Michael Mak spoke for the Appellant. The Board discussed the four concerns of the department and voted separately on each item as follows:

Item 1. 4 - 0 to overrule the department, with the stipulation that the 2'6" passageway will have a supervised sprinkler system and one-hour fire protection construction.

Item 2. 4 - 0 to overrule the department, with the stipulation that the winding stairway have the railing on the outside parameter.

Item 3. 4 - 0 to overrule the department, with the stipulations that the building will be completely sprinklered and a wet standpipe installed.

Item 4. 4 - 0 to concur with the department, with the stipulation that the fire escape (or stairway) be installed from the fourth floor to the roof in order that firemen have access to the roof.

APPEAL NO. 82-116

FRED R. WINN, Appellant vs. DEPT. PUBLIC WORKS, Respondent
CITY PLANNING DISAPPROVAL

Denial on June 3, 1982 of permit to alter a building at 3969-71 Seventeenth Street.

Mr. Don Lim, represented the Department of Public Works, and Mr. Sidney Shaw represented the City Planning Department. Mr. Daniel Richmond, property manager for the Appellant, explained the planned alterations. The Board then voted 4 - 0 to overrule the depart-

APPEAL NO. 82-116 (Continued)

ment with the stipulation that a Notice of Special Restriction in the form required by City Planning be recorded before the permit is issued.

APPEAL NO. V82-106

MICHEL BERLINE, Appellant vs. ZONING ADMINISTRATOR, Respondent

Denial of Off-Street Parking Variance for 3900 - 24th Street.

The Zoning Administrator was represented by Mr. Sidney Shaw, and Mr. Berlin spoke on his own behalf. After a short discussion, the Board voted 5 - 0 to concur with the department and not to grant the variance, as the five conditions for a variance had not been met.

APPEAL NO. 82-091

PHILIP L. SEGAL, Appellant vs. POLICE DEPARTMENT, Respondent

Denial on May 6, 1982 of permit for mechanical amusement devices at 991 Market Street.

This matter was presented for further hearing, as all the evidence had not been heard at the previous meeting of June 2, 1982. The Appellant was represented by Patrick Hallinan, Esq., and the Police Department was represented by Lawrence Wilson, Esq. Patrick Hallinan stated that the Appellant would accept a permit for fifty machines, as that number could be supervised by two off-duty policemen, and there would be an experienced manager to show the Appellant how to monitor the arcade. After a discussion of the new arguments, the Board voted 3 - 2 to concur with the department with Commissioners Cerbatos and Jackson voting to overrule. As four votes are needed to overrule the department, the department was upheld, and the permit denied.

APPEAL NO. 82-111

JOSEPH E. GARDNER, dba "GENERAL STORE USED FURNITURE," Appellant vs. POLICE DEPARTMENT, Respondent
CITY PLANNING DISAPPROVAL

Denial on May 24, 1982 of permit for second-hand dealer at 595 Potrero Street.

Mr. Sidney Shaw, representing the City Planning Department, stated that their objections to the permit were withdrawn because the application had been amended to an antique store, to which they had no objections. The Board then voted 5 - 0 to overrule the department with the stipulation that the permit will be for an antique store and not a second-hand store.

Commissioner Jackson then left the meeting.

APPEAL NO. 82-109

PAULINE M. FALK, dba "UNCLE WALLY'S," Appellant vs. POLICE DEPARTMENT, Respondent

Denial on May 24, 1982 of permit for second-hand dealer at 2260 Mission Street.

Lawrence Wilson, Esq. represented the Police Department and several representatives from the Mission Street Merchants Association spoke of their concerns, and stated their objections to the permit. The Appellant, Mrs. Falk, was represented by Michael Wohlstadter, Esq. and also stated her aims and plans for the store. The Board then voted 4 - 0 to overrule the department with the following stipulations:

APPEAL NO. 82-109 (Continued)

(1) that the permit be granted for a six-month period only, and the Appellant must apply for a new permit before the end of that time; and (2) either the Appellant, Mrs. Pauline Falk, or her husband must be on the premises 100% of the time the store is open.

APPEAL NO. 82-112

MARK BERRY, Appellant vs. POLICE DEPARTMENT, Respondent

Denial on May 24, 1982 of peddler's permit for southwest corner of Stockton and Pacific Avenue.

Lawrence Wilson, Esq. represented the Police Department. The Appellant was not present. Therefore, the Board voted 4 - 0 to concur with the department.

As there was no further business to bring before the Board, the meeting was adjourned by President Louis J. Giraudo at 8:00 p.m.

DATE: JUNE 9, 1982

LOUIS J. GIRAUDO, President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

BOARD OF PERMIT APPEALS
CITY HALL
SAN FRANCISCO, CA 94102

CITY LIBRARIAN
PUBLIC LIBRARY

DOCUMENTS DEPT.

JUL 13 1982

SAN FRANCISCO
PUBLIC LIBRARY

MINUTES
MEETING OF THE BOARD OF PERMIT APPEALS
WEDNESDAY, JUNE 16, 1982

The regular meeting of the Board of Permit Appeals was called to order by President Louis J. Giraudo at 5:05 p.m.

Present were: President Louis J. Giraudo
Vice-President Agripino R. Cerbatos
Commissioner Douglas J. Engmann
Commissioner Richard J. Guggenhime

Also present were: Mr. Don Lim of the Department of Public Works; Lawrence Wilson, Esq., representing the Police Department and Officers Raymond E. West, K.L. Baxter, and Farrell E. Suslow, testifying in various appeals. Ms. Claire C. Pilcher, Executive Director of the Board of Permit Appeals, and Ms. Doris Levine, Official Hearing Reporter.

There were no requests for rehearing to present to the Board.

APPEAL NO. 82-120

LANE WARD, dba "FORKLIFT WHOLESALERS," Appellant vs. DEPT.PUBLIC WORKS, Respondent

Imposition on May 27, 1982 of penalty for work done at 865 Third Street.

Mr. Don Lim represented the Department of Public Works. The Appellant spoke for himself. The Board then voted 4 - 0 to overrule the department with the stipulation that the penalty be reduced, and that two times the permit fee, for a total of $207.60 ($103.80 x 2), be collected.

The following Appeals No. 82-113/82-114/82-115/82-118 and 82-119, were taken out of their regular order on the calendar as Richard de Jauregui, Esq., Attorney for the Appellants, and Lawrence Wilson, Esq. of the Police Department had made a stipulation with regard to these appeals.

APPEAL NO. 82-113

TY THI CROFF, Appellant vs. POLICE DEPARTMENT, Respondent

Suspension on May 24, 1982 of masseuse permit at HONG KONG ORIENTAL MASSAGE at 467 O'Farrell Street.

Upon agreement of the parties, the Board voted 4 - 0 to overrule the department with the stipulation that the 60-day suspension be reduced to fifteen days.

APPEAL NO. 82-115

HONG THI PERRY, Appellant vs. POLICE DEPARTMENT, Respondent

Suspension on May 24, 1982 of masseuse permit at HONG KONG ORIENTAL MASSAGE at 467 O'Farrell Street.

APPEAL NO. 82-115 (Continued)

Upon agreement of the parties, the Board voted 4 - 0 to overrule the department with the stipulation that the 30-day suspension be reduced to ten days.

APPEAL NO. 82-119

THANH PHUONG THI PHAM, dba "HONG KONG ORIENTAL MASSAGE," Appellant vs. POLICE DEPARTMENT, Respondent

Suspension on May 24, 1982 of permit for massage establishment at 467 O'Farrell Street.

Upon agreement of the parties, the Board voted 4 - 0 to overrule the department with the stipulation that the 30-day suspension be reduced to five days.

APPEAL NO. 82-114

VICTORIA J. SIMMONS, Appellant vs. POLICE DEPARTMENT, Respondent

Suspension on May 24, 1982 of masseuse permit at KIM'S SPA at 441 Stockton Street.

Upon agreement of the parties, the Board voted 4 - 0 to overrule the department with the stipulation that the 30-day suspension be reduced to ten days.

APPEAL NO. 82-118

THANH PHUONG THI PHAM, dba "KIM'S SPA," Appellant vs. POLICE DEPARTMENT, Respondent

Suspension on May 24, 1982 of permit for massage establishment at KIM'S SPA at 441 Stockton Street.

Upon agreement of the parties, the Board voted 4 - 0 to overrule the department with the stipulation that the 30-day suspension be reduced to five days.

APPEAL NO. 82-121

HECTOR ROMO, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Denial on June 4, 1982 of permit to alter a building at 2367 to 2375 Market Street.

Mr. Don Lim represented the Department of Public Works, and explained the reasons for denial. Mr. Romo, represented himself. After discussion, the Board voted 4 - 0 to overrule the department with the stipulation that the entire building is to be sprinklered.

APPEAL NO. 82-124

HOEFER SCIENTIFIC INSTRUMENTS, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Denial on June 3, 1982 of permit to alter a building at 666 Minnesota

APPEAL NO. 82-124 (Continued)

Street.
APPLICATION NO. 8204483.

Mr. Don Lim spoke for the Department of Public Works. The Appellant was represented by the architectural firm of Lanier/Sherrill/Morrison. Following a discussion, the Board voted 4 - 0 to overrule the department and allow the supervised sprinkler system in lieu of one-hour fire construction.

APPEAL NO. 82-087

THOMAS JONES, Appellant vs. POLICE DEPARTMENT, Respondent

Denial on May 6, 1982 of permit to operate a taxicab.

This matter was first heard on May 26, 1982, and was on the calendar for rehearing. Lawrence Wilson, Esq. represented the Police Department. Mr. Jones spoke on his own behalf. He was also represented by Louis A. Highman, Esq. Susan Thomas, the alleged victim, also spoke for Mr. Jones, stating that what she had stated in the police report had not been correct. The Board discussed the appeal and voted 3 - 1 to concur with the department, with Commissioner Guggenhime voting to overrule.

APPEAL NO. 82-122

MAHMUD D. BARHUM, dba "BEIT HANINA SOCIAL CLUB," Appellant vs. POLICE DEPARTMENT, Respondent

Denial on June 2, 1982 of permit for mechanical amusement devices at 1217 Geneva Avenue.

Lawrence Wilson, Esq. represented the Police Department. The Appellant spoke on behalf of himself and his club. Officer Baxter testified for the department. The Board then voted 4 - 0 to overrule the department with the following stipulations: (1) permit will be issued for six months and is not automatically renewable. The Appellant must reapply before the end of that period; (2) the permit will be for two machines only; (3) any time there are children utilizing the machines there will be an adult on the premises; (4) the machines will not be in operation on school days between the hours of 7:00 a.m. and 3:00 p.m.; (5) on days preceding a school day, the machines will be in operation only until 10:00 p.m.; (6) on days not preceding a school day, the machines must be closed down at 11:00 p.m.

APPEAL NO. 82-123

JAMES D. LARGE, dba "BUMPERS," Appellant vs. POLICE DEPARTMENT, Respondent

Denial on June 7, 1982 of permit for mechanical amusement devices at 674 Broadway.

The Police Department was represented by Lawrence Wilson, Esq., and by Officers Baxter and West. Also, speaking for the department were many neighbors and businessmen of the area. The Appellant was represented by

APPEAL NO. 82-123 (Continued)

Robert Leberman, Esq. After lengthy discussion, and much evidence on both sides, the Board decided to continue the matter until the regular meeting of July 7, 1982, in order to hold informal site inspections at the convenience of the individual members and until a five member board was present.

As there was no further business to bring before the Board, the meeting was adjourned by President Louis J. Giraudo at 8:30 p.m.

DATE: JUNE 16, 1982

LOUIS J. GIRAUDO, President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

BOARD OF PERMIT APPEALS
CITY HALL
SAN FRANCISCO, CA 94102

M I N U T E S

MEETING OF THE BOARD OF PERMIT APPEALS

WEDNESDAY, JULY 7, 1982

The meeting was called to order by President Louis Giraudo at 5:15 p.m.

DOCUMENTS DEPT.

AUG 3 1989

SAN FRANCISCO
PUBLIC LIBRARY

Present were: Louis J. Giraudo, President
Agripino R. Cerbatos, Vice President
Mattie J. Jackson, Commissioner
Douglas J. Engmann, Commissioner
Richard J. Guggenhime, Commissioner

Also present were: Mr. Don Lim and Inspector Oliver McCabe of the Department of Public Works; Mr. Sidney Shaw, representing City Planning; Lawrence Wilson, Esq. for the Police Department; Mr. Thomas Ma and Mark Doane, Esq. representing the San Francisco Redevelopment Agency; David May, Esq., Deputy City Attorney; Ms. Claire C. Pilcher, Executive Director, and Doris Levine, official hearing reporter.

The following matters were presented to the Board for their consideration:

(1) Letter dated June 25, 1982, from Mr. Ronald R. Lanza, asking the Board to take jurisdiction beyond the ten-day period. Board voted 5 - 0 to take jurisdiction.

(2) Letter from Yousef B. Qare, asking the Board to take jurisdiction beyond the ten-day period. Board voted 5 - 0 to take jurisdiction.

(3) The following Requests for Rehearing were presented to the Board for their consideration:

APPEAL NO. 82-091

PHILIP L. SEGAL, Appellant vs. POLICE DEPARTMENT, Respondent
Denial on May 6, 1982 of permit for mechanical amusement devices at 991 Market Street..

This matter was heard on June 2, 1982 and continued to June 9, 1982. On June 9, the Board voted 3 - 2 to uphold the department with Commissioners Cerbatos and Jackson voting to overrule. The Commissioners voted 3 - 2 not to grant a rehearing with Commissioners Cerbatos and Jackson voting to grant a rehearing. The request was therefore denied.

APPEAL NO. 82-112

MARK BERRY, Appellant vs. POLICE DEPARTMENT, Respondent
Denial on May 24, 1982 of peddler's permit for southwest corner of Stockton and Pacific.

This matter was on the regular calendar for June 9, 1982. The appellant did not appear; therefore, the Board voted 4 - 0 to uphold the department (Commissioner Jackson not present for the vote).

The Board voted 4 - 1 to rehear this appeal. Commissioner Guggenhime voted not to rehear.

The Board then heard appeals from the regular calendar. The first appeal was presented to the Board for further hearing:

APPEAL NO. 82-123

JAMES D. LARGE, dba "BUMPERS," Appl. vs. POLICE DEPARTMENT, Respondent
Denial on June 7, 1982, of permit for mechanical amusement devices at 674 Broadway.

Because the Board had heard the arguments on both sides of this issue, and had held an informal site inspection, their purpose in continuing this matter was only to vote at this time. The vote was 5 - 0 to concur with the Department.

APPEAL NO. 82-125

CHARLES S. HARRIS, dba "HAPPY DONUTS," Appellant vs. POLICE DEPARTMENT, Respondent CITY PLANNING DISAPPROVAL

Denial on June 2, 1982 of permit for cabaret at 3801 Twenty-Fourth Street.

John Braun, Esq., representing the appellant, agreed to take this appeal off calendar and will apply to the City Planning Department for a special use permit.

APPEAL NO. 82-137

EDWARD G. FARRAH, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Imposition of penalty on June 21, 1982 for work done at 230 Beacon Street. APPLICATION NO. 8201676.

The Department of Public Works was represented by Mr. Don Lim, and the appellant was represented by Philip Siggins, Esq. After a short discussion, the Board voted 5 - 0 to reduce the penalty to two times the permit fee of $12.00, for a total to be paid of $24.00.

APPEAL NO. 82-138

EDWARD G. FARRAH, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Imposition of penalty on June 21, 1982 for work done at 230 Beacon Street. APPLICATION NO. 8202877.

Mr. Don Lim represented the Department of Public Works. The appellant was represented by Philip Siggins, Esq. The Board voted 5 - 0 to reduce the Investigation Fee of $199.80 by half, plus the permit fee of $22.20, for a total due the Department of $122.10.

APPEAL NO. 82-129

RAYMOND L'HEUREUX, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Protesting issuance on June 11, 1982, permit to Edward Farrah to alter a building at 230 Beacon Street. APPLICATION NO. 8201676.

Mr. Don Lim represented the Department of Public Works, and Philip Keith, Esq. spoke for the appellants. Philip Siggins, Esq. represented the permit holder, Mr. Edward G. Farrah. The San Francisco Redevelopment Agency was represented by Architect Thomas Ma and Attorney Mark Doane. Another neighbor, Mr. Jack Klassen, also spoke on behalf of the appellant. The Board then decided to make a site inspection at 230 Beacon Street on Monday, July 12, 1982 at 5:30 p.m., and to continue this matter to the regular Meeting of July 14, 1982.

APPEAL NO. 82-135

EDWARD FARRAH, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Denial on June 11, 1982, permit to alter a building at 230 Beacon Street. APPLICATION NO. 8202449.

Mr. Don Lim represented the Department of Public Works, and Attorney Philip Keith spoke for the interested neighbors. Mark Doane, Esq. and Mr. Thomas Ma represented the San Francisco Redevelopment Agency. The Board decided to have a site inspection at 230 Beacon Street on Monday, July 12, 1982 at 5:30 p.m. in order to examine the various issues at this address. This appeal will be continued to the regular Meeting of July 14, 1982.

APPEAL NO. 82-131

MINORU YAMADA, dba "JIM'S DRUG STORE," Appellant vs. DEPT. PUBLIC WORKS, Respondent REDEVELOPMENT AGENCY DISAPPROVAL

Denial on June 17, 1982 of permit to alter a building at 22 Peace Plaza-Japan Cultural Center. APPLICATION NO. 8202631.

Mr. Don Lim, representing the Department of Public Works withdrew their objections to this appeal. The Board then voted 5 - 0 to overrule the department, with the understanding that the Redevelopment Agency could obtain a rehearing, if desired.

APPEAL NO. 82-132

HOOVER F. CHIN, dba "KABUKI RESTAURANT LOUNGE," Appellant vs. DEPT. PUBLIC WORKS, Respondent REDEVELOPMENT AGENCY DISAPPROVAL

Denial on June 17, 1982 of permit to alter a building at 22 Peace Plaza-Japan Cultural Center. APPLICATION NO. 8202630.

Mr. Don Lim, representing the Department of Public Works, withdrew the objections to this appeal. The Board then voted unanimously to overrule the department with the understanding that the Redevelopment Agency could obtain a rehearing, if desired.

APPEAL NO. 82-126

JACK KLEIN, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Imposition of penalty on June 2, 1982 for work done at 2142 Fifteenth Street. APPLICATION NO. 8202614.

Mr. Don Lim represented the Department of Public Works. The appellant, Jack Klein, spoke for himself. After a short discussion, the Board voted unanimously to overrule the department with the stipulation that the Investigation fee of $383.40 be reduced in half to $191.70, plus the permit fee of $42.60, for a total due the department of $234.30.

APPEAL NO. 82-127

BETH M. PEWTHER, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Imposition of penalty on June 10, 1982 for work done at 80 Bronte Street. APPLICATION NO. 8109446.

The appellant was not present at this hearing, and the Board voted 5 - 0 to concur with the department.

APPEAL NO. 82-133

RANDALL NATHAN, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Imposition of penalty on June 17, 1982 for work done at 260 Valencia Street. APPLICATION NO. 8204643.

The appellant was not present, and the Board voted 5 - 0 to concur with the Department.

APPEAL NO. 82-134

RANDALL NATHAN, Appellant vs. DEPT. PUBLIC WORKS, Respondent FIRE DEPT. DISAPPROVAL

Denial on June 17, 1982 of permit to alter a building at 260 Valencia Street. APPLICATION NO. 8204643.

Mr. Don Lim represented the Department of Public Works. The appellant was not present, and the Board voted unanimously to uphold the Department.

APPEAL NO. 82-130

MR. & MRS. WALLACE LIM, Appellants vs. DEPT. PUBLIC WORKS, Respondent CITY PLANNING DISAPPROVAL

Denial on June 16, 1982 of permit to erect a structure at 50 Torrens Court. Mr. Richard Fiory, Architect, represented the appellants. Mr. Sidney Shaw of City Planning explained the legal and planning problems of this appeal. Many neighbors spoke for the department. After further discussion, the board voted unanimously to concur with the department.

As there was no further business to bring before the Board, the meeting was adjourned at 10:00 p.m.

DATE: July 7, 1982

LOUIS J. GIRAUDO, President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

M I N U T E S

MEETING OF THE BOARD OF PERMIT APPEALS

WEDNESDAY, JULY 14, 1982

The regular meeting of the Board of Permit Appeals was called to order at 5:10 p.m. by President Louis J. Giraudo.

DOCUMENTS DEPT.

AUG 2 1982

SAN FRANCISCO PUBLIC LIBRARY

Present were: Louis J. Giraudo, President
Agripino R. Cerbatos, Vice President
Mattie J. Jackson, Commissioner
Douglas J. Engmann, Commissioner
Richard J. Guggenhime, Commissioner

Also present were: Representing the Department of Public Works were Mr. Don Lim, Mr. Bob Kelley, and Inspector Oliver McCabe; Mr. Paul Schwabacher of the Health Department; Mr. Sidney Shaw on behalf of the Department of City Planning/Zoning Administrator; Lawrence Wilson, Esq. and Officer West for the Police Department; David May, Esq. representing the City Attorney's Office; Ms. Claire C. Pilcher, Executive Director, and Doris Levine, the official hearing reporter.

The following requests for rehearing was presented to the Board for their consideration:

APPEAL NO. 82-127: BETH M. PEWTHER, Appellant vs. DEPT. PUBLIC WORKS, Respondent
Imposition of penalty on June 10, 1982 for work done at 80 Bronte Street.
APPLICATION NO. 8109446.

Board voted unanimously to grant a rehearing. Scheduled for July 21, 1982.

APPEAL NO. 82-133: RANDALL NATHAN, Appellant vs. DEPT. PUBLIC WORKS, Respondent
Imposition of penalty on June 17, 1982 for work done at 260 Valencia Street.
APPLICATION NO. 8204643.

Request for rehearing denied for lack of motion.

APPEAL NO. 82-134: RANDALL NATHAN, Appellant vs. DEPT. PUBLIC WORKS, Respondent
Denial on June 17, 1982 of permit to alter a building at 260 Valencia Street.
APPLICATION NO. 8204643.
Request for Rehearing granted. Scheduled to be reheard on July 21, 1982.

The following matters from the regular calendar were then heard by the Board:

APPEAL NO. 82-145

PAULA RICHMAN, Appellant vs. DEPT. PUBLIC WORKS, Respondent
Imposition on July 1, 1982 of penalty for work done at 841 Darien Way.
APPLICATION NO. 8204184.
Mr. Don Lim represented the Department of Public Works, and Mrs. Richman explained the reason for the penalty. The Board voted unanimously to reduce the penalty to two times the permit fee of $42.60, for a total to be paid the Department of $85.20.

APPEAL NO. 82-129

RAYMOND L'HEUREUX, Appellant vs. DEPT. PUBLIC WORKS, Respondent
Protesting issuance on June 11, 1982, permit to Edward Farrah to alter a building at 230 Beacon Street. APPLICATION NO. 8201676.
This appeal, concerning the deck in question was presented to the Board for further hearing, upon completion of their site inspection at 230 Beacon Street. After more discussion, they then decided to continue this matter for a two-week period, until the meeting of July 28, 1982.

APPEAL NO. 82-135

EDWARD FARRAH, Appellant vs. DEPT. PUBLIC WORKS, Respondent
Denial on June 11, 1982 of permit to alter a building at 230 Beacon Street.
APPLICATION NO. 8202449.
This appeal, concerning greenhouse windows was continued from the meeting of July 7, 1982 in order to allow time for the Board to make a site inspection. The appellant was represented by Attorney Philip Siggins. The Department of

APPEAL NO. 82-135 (Continued)

Public Works was represented by Inspector Oliver McCabe and Chief Inspector Bob Kelley. David May, Esq. represented the City Attorney's Office. Mr. Klassen and Mr. L'Heureux, neighbors, spoke on behalf of the department. Following a lengthy discussion by all parties, the Board voted unanimously to concur with the department.

APPEAL NO. 82-112

MARK BERRY, Appellant vs. POLICE DEPARTMENT, Respondent

Denial on May 24, 1982 of peddler's permit for southwest courner of Stockton Street and Pacific Avenue. This matter was presented to the Board as a rehearing. Lawrence Wilson and Officer West represented the Police Department. Neighborhood Associations, represented by Ms. Amy Chong and Mr. Edmund Lee, upheld the department's stand on refusing the permit. Mr. Berry stated that it was not the southwest corner of Stockton and Pacific which he wanted, but the northwest corner. The same objections were made by the Police Department to the alternative choice. The Board continued this rehearing for one week in order to allow the appellant time to work with the department in finding a more satisfactory location for his permit.

APPEAL NO. 82-141

EARL S. KUHNS, dba "FRENCHY'S K & T BOOK STORE," Appellant vs. POLICE DEPARTMENT, Respondent

Denial on June 18, 1982 of permit for mechanical amusement devices at 101 Taylor Street. Lawrence Wilson, Esq., for the Police Department, stated that the department was not against granting the appellant permits for two mechanical amusement devices, only against the type of machines he was requesting ("21" or Blackjack). The appellant was represented by Mr. Joseph Rhine, Attorney. The Board then voted unanimously to overrule the department with the stipulation that the permits be for two machines of the "Pac-Man" variety, and not the "21" or Blackjack kind.

APPEAL NO. 82-142

CALVIN CHOW, dba "SEVEN-ELEVEN STORE," Appl. vs. POLICE DEPARTMENT, Respondent

Denial on June 18, 1982 of permit for mechanical amusement devices at 2000 Ocean Avenue. Lawrence Wilson, Esq. spoke for the Police Department and stated that this place of business is immediately across the street from a school (Voice of Pentacost Christian School). Mr. John Nyquiest, representing the school, spoke on behalf of the Police Department. The appellant claimed that the school was going to be closed very shortly. The Board then voted unanimously to concur with the department, with the finding that if Mr. Chow discovered that the school was indeed going to close, he could request a rehearing within ten days.

APPEAL NO. 82-149

GRAMERCY TOWERS CONDOMINIUM ASSOC., Appl. vs. POLICE DEPARTMENT, Respondent

Protesting issuance on June 28, 1982 of permit for place of entertainment to "Mama's of San Francisco," at 1177 California Street.

The Police Department was represented by Lawrence Wilson, Esq. The attorney for the appellants was Terence L. Bruiniers, Esq. Mama's of San Francisco, the applicant for the permit, was represented by David Heilbron, Esq. of McCutchen, Doyle, Brown, & Enersen. Many tenants of the Gramercy Towers Condominium spoke against the granting of the permit. Performers in the cabaret show spoke for the Police Department. After lengthy testimony from both sides, the Board voted 4 - 1 to concur with the Department with Vice President Cerbatos voting to overrule.

APPEAL NO. 82-143

RICHARD J. ELLIS, dba "CHIPWICH A LA CARTE," Appellant vs. PUBLIC HEALTH DEPT., Respondent

Denial on June 29, 1982 of permit for pushcart at Pier 39.

Mr. Paul Schwabacher represented the Health Department. Mr. Ellis, the appellant,

APPEAL NO. 82-143 (Continued)

explained his appeal. Pier 39, the location of the pushcart, was represented by Ms. Suzanne Todd, the Director of Leasing. Mr. Ellis demonstrated his product, and after a discussion by the Commissioners, the Board voted unanimously to overrule the department with the following stipulations: (1) that the cart and vendor will never be more than 75 feet from Neptune's Restaurant; (2) that all containers will be cleaned at the end of each day; and (3) that any remaining inventory will be placed in the freezer at Neptune's Restaurant at the end of each day.

APPEAL NO. 82-139

DAVID GARIBALDI, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Denial on June 23, 1982 of permit to alter a building at 1526 Franklin Street. APPLICATION NO. 8203828.

Mr. Bob Kelley spoke for the Department of Public Works, and the appellant spoke on his own behalf. After a short discussion, the Board voted 5 - 0 to overrule the Department with the stipulation that a handrail be installed on both sides of the stairs.

APPEAL NO. 82-147

PHILLIP OTTO, Appellant vs. DEPT. PUBLIC WORKS, Respondent
CITY PLANNING DISAPPROVAL

Denial on July 6, 1982 of permit to alter building at 3358 Washington Street. APPLICATION NO. 8201782.

Mr. Sidney Shaw spoke on behalf of the City Planning Department. Mr. Phillip Otto and his architect presented heir plans for enlarging the home at 3358 Washington Street. After testimony by the adjoining neighbors, the Board continued this matter until the meeting of July 28, 1982, and will hold a site inspection on July 20, 1982 at 8:00 a.m.

APPEAL NO. 82-148

GLENRIDGE, LTD., dba GLENRIDGE APARTMENTS, Appellant vs. DEPT. PUBLIC WORKS, Respondent
CITY PLANNING DISAPPROVAL

Denial on June 28, 1982 of permit to alter a building at 151-153A Fourth Avenue. APPLICATION NO. 8109426.

After discussion, at the request of Mr. Sidney Shaw of the City Planning Department, this matter was continued until the meeting of July 28, 1982.

APPEAL NO. 82-150

I. ARNDT, Appellant vs. DEPT. OF PUBLIC WORKS, Respondent

Denial on July 7, 1982 of permit to erect a structure at 161-163 Peralta Avenue. APPLICATION NO. 8203723.

City Planning Department was represented by Mr. Sidney Shaw. John Bells, architect, Preston Cook and Mr. Ed McGovern (representing the office of Leo McCarthy, California Assemblyman) spoke for the appellant. After a lengthy presentation by both sides, the Board voted 3 - 1 to overrule the department. (President Louis Giraudo left the meeting before the vote) and Commissioner Engmann voted to concur with the department. As there were not the necessary four votes needed to overrule the department, the department was upheld.

APPEAL NO. V82-144

Ms. ELISA INING, Appellant vs. ZONING ADMINISTRATOR, Respondent

Denial on June 19, 1982 of request for rear yard and off-street variance at 4026½ Twenty-Fourth Street.

Board voted 4 - 0 (President Giraudo not present for the vote) to grant the variance as the five conditions of the variance had been met, and that parking within

APPEAL NO. V82-144 (Continued)

six hundred feet will be provided according to the City Planning Code at all times the unit is in use.

As there was no further business to be brought before the Board, the meeting was adjourned at 11:45 p.m.

DATE: July 14, 1982

LOUIS J. GIRAUDO, President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

SPECIAL MEETING - SITE INSPECTION-230 BEACON STREET

A site inspection was held regarding the several appeals at this address. The site inspection was held at 5:30 p.m. Tuesday, July 12, 1982. All the commissioners with the exception of Ms. Jackson were present at that time. Commissioner Jackson made an inspection of the property at a more convenient time. Executive Director Claire C. Pilcher was also present. These matters regarding the decks and greenhouse windows will be heard again at the meeting of July 14, 1982.

DOCUMENTS DEPT.

AUG 2 1982

SAN FRANCISCO
PUBLIC LIBRARY

MINUTES

MEETING OF THE BOARD OF PERMIT APPEALS

WEDNESDAY, JULY 21, 1982

The regular meeting of the Board of Permit Appeals was called to order by Acting President Agripino R. Cerbatos at 5:10 p.m.

Present were: Agripino R. Cerbatos, Vice President (Acting President)
Mattie J. Jackson, Commissioner
Douglas J. Engmann, Commissioner
Richard J. Guggenhime, Commissioner

Absent: Louis J. Giraudo, President

Also present were: Mr. Don Lim, for the Department of Public Works; Lawrence Wilson, Esq. and Officer Raymond West, for the Police Department; Mr. Sidney Shaw, for the Department of City Planning; Ms. Claire C. Pilcher, Executive Director; and Ms. Doris Levine, the official hearing reporter.

The following two Requests for Rehearing by the San Francisco Redevelopment Agency were granted, (by a vote of 4 - 0) and will be heard at the regular meeting of the Board on July 28, 1982.

APPEAL NO. 82-131

MINORU YAMADA, dba "JIM'S DRUG STORE," Appellant vs. DEPT. PUBLIC WORKS, Respondent REDEVELOPMENT AGENCY DISAPPROVAL

Denial on June 17, 1982 of permit to alter a building at 22 Peace Plaza-Japan Cultural Center. APPLICATION NO. 8202631. Rehearing granted.

APPEAL NO. 82-132

HOOVER F. CHIN, dba "KABUKI RESTAURANT LOUNGE," Appellant vs. DEPT. PUBLIC WORKS, Respondent REDEVELOPMENT AGENCY DISAPPROVAL

Denial on June 17, 1982 of permit to alter a building at 22 Peace Plaza-Japan Cultural Center. APPLICATION NO. 8202630. Rehearing granted.

The following matters were from the regular calendar. The first matter of business was taken out of order:

APPEAL NO. V82-152

HENRY D. GRUCHACZ/LILLIAN JANG, Appellant vs. ZONING ADMINISTRATOR, Respondent

Denial on July 1, 1982 of variance request for off-street parking at 367 Collingwood Street.

Mr. Kent Woods, a neighbor, explained that the Appellants were very ill and presented a note from their doctor. The matter was tentatively set to be heard in approximately one month, if they have regained their health. The testimony of Ms. L. B. Crafts, a neighbor opposing the appeal, was heard in order that she would not have to appear at a later meeting.

APPEAL NO. 82-127

BETH M. PEWTHER, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Imposition of penalty on June 10, 1982 for work done at 80 Bronte Street. APPLICATION NO. 8109446.

Mr. Don Lim represented the Department of Public Works, and gave the reasons for the penalty. Ms. Pewther spoke for herself. Following a short discussion, the Board voted 4 - 0 to overrule the department with the stipulation that the investigation fee be reduced to 20% of the original amount of $840.20 to be $168.00, plus the permit fee of $205.80, for a total of $373.80.

APPEAL NO. 82-136

RONALD E. BANSEMER, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Imposition on June 18, 1982 of penalty for work done at 522-24 Douglass Street. APPLICATION NO. 8204256.

Mr. Don Lim represented the Department of Public Works. Mr. Bansemer spoke for himself. The Board then voted 4 - 0 to overrule the department with the stipulation that the investigation fee of $291.60 be reduced in half to be $145.80, plus the permit fee of $32.40, for a total due the department of $178.20.

APPEAL NO. 82-112

MARK BERRY, Appellant vs. POLICE DEPARTMENT, Respondent

Denial on May 24, 1982 of peddler's permit for southwest corner of Stockton Street and Pacific Avenue.

The Police Department was represented by Officer West. The Appellant spoke for himself. Officer West described the three locations chosen by the Appellant as alternatives. They were: 1355 Stockton Street; 201 Columbus Avenue; and 209 California Street. The 209 California Street location was chosen as the best, its only drawback being that it is within 600 feet of JEFCO, where jewelry is also sold. After some discussion, the Board voted 4 - 0 to overrule the department and to allow the 209 California Street location to be used with the finding that JEFCO's jewelry business is a very small part of its entire sales. Therefore, the Appellant will be allowed to use his peddler's permit at the 209 California Street location with the stipulation that it will not be used within 12 feet of either side of the entrance to the bank.

APPEAL NO. 82-151

STANLEY ROTH, dba "SAN FRANCISCO PRETZEL CO.," Appellant vs. POLICE DEPARTMENT, Respondent

Denial on June 28, 1982, of permit for pushcart at northwest corner of Beach and Hyde Streets.

Lawrence Wilson, Esq. spoke for the Police Department. Stanley Roth told the Board about his feelings regarding selling items other than pretzels (hot dogs and soft-drinks). Kenneth Ingles and Colin Gift, owners of the Cable Car Canteen spoke, in opposition to the Appellant as did several others. After discussion, the Board voted 4 - 0 to concur with the department.

APPEAL NO. 82-134

RANDALL NATHAN, Appellant vs. POLICE DEPARTMENT, Respondent

Denial on June 17, 1982, permit to alter a building at 260 Valencia Street. APPLICATION NO. 8204643.

Mr. Don Lim represented the Department of Public Works. He stated that there was no alternative to the code, that the circular staircase would not fulfill the requirements of the code. Mr. Randall Nathan spoke for himself. After some discussion, the Commissioners decided to hold a site inspection on Tuesday, July 27, 1982 at 5:30 p.m. and to continue this matter to the regular meeting of July 28, 1982.

APPEAL NO. 82-154

BARBARA KILK, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Protesting issuance on July 12, 1982, permit to Gene and Stella Muscat to alter a building at 315 San Leandro Way. APPLICATION NO. 8204616

Mrs. Kilk spoke of her concerns regarding the alteration being made on the house next door to hers. Don Lim represented the Department of Public Works. Ms. Muscat told the Board about their alterations and their plans. After some further discussion, the Board voted 4 - 0 to concur with the department with the stipulation that the permit holders will abide by the building code and the lot line survey.

As there was no further business to be brought before the Board, Acting President Cerbatos adjourned the meeting at 7:30 p.m.

SPECIAL MEETING OF THE BOARD OF PERMIT APPEALS (SITE INSPECTION)

APPEAL NO. 82-147

PHILIP OTTO, Appellant vs. DEPT. PUBLIC WORKS, Respondent
CITY PLANNING DISAPPROVAL

Denial on July 6, 1982 of permit to alter a building at 3358 Washington Street. APPLICATION NO. 8201782.

Commissioners Guggenhime and Cerbatos were present, as was Executive Director Pilcher. The other Commissioners were to make arrangements for independent site inspection.

DATE: JULY 21, 1982

LOUIS J. GIRAUDO, President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

ARD OF PERMIT APPEALS
CITY HALL
AN FRANCISCO, CA 94102

City Librarian

SF
P80
#2
7/28/82

DOCUMENTS DEPT.
AUG 10 1982
SAN FRANCISCO
PUBLIC LIBRARY

M I N U T E S
MEETING OF THE BOARD OF PERMIT APPEALS
WEDNESDAY, JULY 28, 1982
5:00 P.M., ROOM 282, CITY HALL

The meeting of the Board of Permit Appeals was called to order at 5:15 p.m.

Present were: President Louis J. Giraudo
Vice President Agripino R. Cerbatos
Mattie J. Jackson, Commissioner
Douglas J. Engmann, Commissioner
Richard J. Guggenhime, Commissioner

Also present were: Mr. Don Lim for the Department of Public Works; Mr. Sidney Shaw for the Department of City Planning; Lawrence Wilson, Esq., representing the Police Department; Mark Doane, Esq. for the San Francisco Redevelopment Agency; Claire C. Pilcher, Executive Director, and Doris Levine, official hearing reporter.

The first matter was taken out of the calendared order, due to the late arrival of Commissioner Mattie Jackson, who arrived in time to vote on the matter.

APPEAL NO. 82-131

MINORU YAMADA, dba "JIM'S DRUG STORE," Appellant vs. DEPT. PUBLIC WORKS, Respondent REDEVELOPMENT AGENCY DISAPPROVAL

Denial on June 17, 1982 of permit to alter a building at 22 Peace Plaza - Japan Cultural Center (APPLICATION NO. 8202631).

Mark Doane, Esq. represented the Redevelopment Agency and Mr. Hoover Chin spoke for the appellant. Mr. Doane explained the original Redevelopment plan for the Japan Cultural Center. Commissioners Engmann and Guggenhime voted to concur with the Agency. As the necessary four votes to overrule the department were not obtained, the Agency was upheld and the permit denied.

APPEAL NO. 82-132

HOOVER F. CHIN, dba "KABUKI RESTAURANT LOUNGE," Appellant vs. DEPT. PUBLIC WORKS, Respondent REDEVELOPMENT AGENCY DISAPPROVAL

Denial on June 17, 1982 of permit to alter a building at 22 Peace Plaza - Japan Cultural Center (APPLICATION NO. 8202630).

The same parties as in the previous matter represented both sides. After a short discussion, the Board voted 5 - 0 to overrule the department with the findings that there were no life safety issues involved as there had been with Appeal No. 82-131, and the claim by the Redevelopment Agency that the aesthetics were not satisfactory was too vague and ambiguous to form the basis of a denial.

The following requests for rehearing were heard:

APPEAL NO. 82-135

EDWARD FARRAH, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Denial on June 11, 1982, permit to alter a building at 230 Beacon Street (APPLICATION NO. 8201676).

Request for rehearing was denied due to lack of a motion from the Board.

The following requests for rehearing were granted by unanimous vote of the Board and were scheduled to be reheard at the regular meeting of August 4, 1982:

APPEAL NO. V82-144

S. ELISA INING, Appellant vs. ZONING ADMINISTRATOR, Respondent

Denial on June 19, 1982 of request for rear yard and off-street variance at 1026½ Twenty-Fourth Street (rehearing requested by the Zoning Administrator).

APPEAL NO. 82-150

ROBERT BECKER/I. ARNDT, Appellants vs. DEPT. PUBLIC WORKS, Respondent
CITY PLANNING DISAPPROVAL

Denial on July 7, 1982, of permit to erect a structure at 161-163 Peralta Avenue APPLICATION NO. 8203723). Request for rehearing was granted by a 5-0 vote.

The Board then continued with appeals from the regular calendar.

APPEAL NO. 82-129

RAYMOND L'HEUREUX, Appellant vs. DEPT. PUBLIC WORKS, Respondent
Protesting issuance on June 11, 1982 of permit to Edward Farrah to alter a building at 230 Beacon Street (APPLICATION NO. 8201676).
The Department was represented by Don Lim, who showed the Board the marked adjustments on the blueprints. As the merits of this issue had been heard before and a site inspection had been held, the Board voted 5 - 0 to concur with the department in issuing the permit for the deck.

APPEAL NO. 82-147

PHILIP OTTO, Appellant vs. DEPT. PUBLIC WORKS, Respondent
CITY PLANNING DISAPPROVAL

Denial on July 6, 1982 of permit to alter a building at 3358 Washington Street APPLICATION NO. 8201782.
The merits of this appeal had been heard at the previous meeting of July 14, 1982, and a site inspection had been held. Plans were submitted to the Board by the architect for the appellant, and the findings submitted to the Board were discussed. The Board then voted to overrule the Planning Commission's disapproval by a 4 - 1 vote, with Commissioner Engmann voting to concur with the department. The findings were adopted and the stipulation made that two feet be taken from the south side of the previously proposed edge of the top two stories of the addition.

APPEAL NO. 82-157

YOUSEF QARE, Appellant vs. POLICE DEPT., Respondent
Denial on June 14, 1982, of permit for mechanical amusement devices at 800 Haight Street.

Becuase of the absence of the appellant, the Board voted 5 - 0 to concur with the department.

APPEAL NO. 82-153

WILLIAM FERDON, Appellant vs. DEPT. PUBLIC WORKS, Respondent
Denial on June 30, 1982, of permit to alter a building at 2753- 22nd Street (APPLICATION NO. 8203198).
Mr. Don Lim represented the Department. The appellant and his brother, Attorney Jonathan Ferdon, stated the merits of their appeal. Following a discussion, the Board voted 5 - 0 to overrule the department with the following stipulation; that all the skylights over the living area will be vented. The following restriction will be recorded; that if the three lot line windows are blocked at any future time, the owner of the property is obligated to provide proper ventilation and light.

APPEAL NO. 82-134

RANDALL NATHAN, Appellant vs. DEPT. PUBLIC WORKS, Respondent
Denial on June 17, 1982, of permit to alter a building at 260 Valencia Street (APPLICATION NO. 8204643).
Mr. Don Lim spoke for the Department of Public Works. Mr. Nathan, the appellant, explained his appeal. The Board had held a site inspection on this property on July 27, 1982. Therefore, there was only a short discussion before they voted 4 - 0 to overrule the department (with Commissioner Jackson voting to uphold the department) with the following stipulations: (1) that a door be installed with a panic alarm to be operable from the hall; (2) that the panic alarm be active at all

APPEAL NO. 82-134 (Continued)

times; and (3) that the door be inspected and approved by the Fire Department after installation.

APPEAL NO. 82-140

IRENE C. SUN, Appellant vs. DEPT. PUBLIC WORKS, Respondent
CITY PLANNING DISAPPROVAL

Because the appellant was not present and was not represented at this meeting, the Board voted 5 - 0 to concur with the department.

APPEAL NO. 82-156

ANDREA FULTON/BERNARD ACGUAFREDDA, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Determination of the Zoning Administrator disapproving building permit for work done at 705-A Capp Street (APPLICATION NO. 8109743).
Mr. Sidney Shaw, represented the Department of City Planning, and Mr. Don Lim spoke for the Department of Public Works. After a lengthy discussion regarding the work that would have to be done to bring this unit up to code, the Board voted 5-0 to concur with the Department.

APPEAL NO. 82-155

ANDREA FULTON/BERNARD ACGUAFREDDA, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Imposition of penalty on July 19, 1982, for work done at 705-A Capp Street. This imposition of penalty was for the same property as Appeal No. 82-156. The appellants spoke in their own behalf, and Mr. Don Lim spoke for the Department of Public Works. The Board then voted unanimously to overrule the department with the stipulation that the penalty be reduced to two times the permit fee of $114.00, for a total due the department of $228.00.

The Commission then briefly discussed the proposed revision to the Building Code with regard to the Fire Zones, and decided to set up a meeting with Mr. Levy, with Commissioner Engmann and Claire Pilcher present.

As there was no further business to be brought before the Board, the meeting was adjourned at 7:20 p.m.

SPECIAL MEETING OF THE BOARD OF PERMIT APPEALS (SITE INSPECTION)

APPEAL NO. 82-134

RANDALL NATHAN, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Denial on June 17, 1982 of permit to alter a building at 260 Valencia Street (APPLICATION NO. 8204643).
This site inspection was attended by President Giraudo, Vice President Cerbatos, and Commissioner Engmann, as well as Executive Director Claire C. Pilcher.

DATE: July 28, 1982

LOUIS J. GIRAUDO, President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

BOARD OF PERMIT APPEALS
CITY HALL
SAN FRANCISCO, CA 94102

City Librarian

M I N U T E S

MEETING OF THE BOARD OF PERMIT APPEALS

WEDNESDAY, AUGUST 4, 1982

The regular meeting of the Board of Permit Appeals was called to order at 5:05 p.m.

DOCUMENTS DEPT.
AUG 20 1982
SAN FRANCISCO

Present were: President Louis J. Giraudo
Vice President Agripino R. Cerbatos
Mattie J. Jackson, Commissioner
Douglas J. Engmann, Commissioner
Richard J. Guggenhime, Commissioner

Also present were: Mr. Don Lim for the Department of Public Works; Mr. Sidney Shaw for the Department of City Planning; Lawrence Wilson, Esq., for the Police Department; Alice Barkley representing the City Attorney's office; Claire C. Pilcher, Executive Director, and Doris Levine, official hearing reporter.

The Board proceeded to hear the requests for rehearing, as follows:

APPEAL NO. 82-157

YOUSEF B. QARE, dba "HAIGHT AND SCOTT GROCERY," Appellant vs. POLICE DEPARTMENT, Respondent

Denial on June 14, 1982, of permit for mechanical amusement devices at 800 Haight Street. The request for rehearing was denied due to lack of motion by the Board.

APPEAL NO. 82-147

PHILIP OTTO, Appellant vs. DEPT. PUBLIC WORKS, Respondent
CITY PLANNING DISAPPROVAL

Denial on July 6, 1982, of permit to alter a building at 3358 Washington Street. (APPLICATION NO. 8201782).

The Board voted 5 - 0 not to rehear this matter. Claire Pilcher, Executive Director, asked the Board to clarify its votes regarding the adjustments to the previous plan as to the additional two foot reduction.

The Board than began to hear the items from the calendar, as follows:

APPEAL NO. 82-150

ROBERT BECKER/I. ARNDT, Appellant vs. DEPT. PUBLIC WORKS, Respondent
CITY PLANNING DISAPPROVAL

Denial on July 7, 1982 of permit to erect a structure at 161-163 Peralta Avenue (APPLICATION NO. 8203723).

This matter was brought to the Board for a rehearing. Mr. Sidney Shaw spoke for the Department of City Planning. David P. Cincotta, Esq., represented the appellant. Alice Barkley gave her informal opinion, which differed from the position of both City departments. After some further discussion regarding this appeal, the Board voted 3 - 2 to uphold the department with Commissioners Jackson and Guggenhime voting to overrule. As the four votes necessary to overrule the department were not obtained, the department was upheld.

APPEAL NO. V82-144

ELISA INING, Appellant vs. ZONING ADMINISTRATOR, Respondent

Denial on June 19, 1982 of request for rear yard and off-street parking variance at 4026½ Twenty-Fourth Street.

This matter was brought to the Board as a rehearing requested by the Zoning Administrator. The appellant was represented by Jack Wholey, Esq., and Mr. Sidney Shaw spoke for the Department. Following a discussion of additional facts by Mr. Sidney Shaw, the Board voted 5 - 0 to overrule the department with the following stipulations: (1) that the appellant provide City Planning with a binding five-year lease for a parking space within a 600-foot area that is not a parking space required by another building under the code, and a deed restriction to be placed on the property stating that this unit is in existence legally with a renewable

five-year lease, or the provision of the legal parking space at the property at 454 Elizabeth Street before expiration of said lease or renewal of lease, under common ownership with 4026½ - 24th Street.

APPEAL NO. 82-159

PATRICK DWAN, dba "GOLDEN STATE CONSTRUCTION," Appellant vs. DEPT. PUBLIC WORKS, Respondent

Imposition of penalty on July 26, 1982 for work done at 65 Henry Street (APPLICATION NO. 8204072).

Mr. Don Lim spoke for the Department and Mr. Dwan represented himself. The Board then continued hearing this matter to the meeting of August 11, 1982, in order to give Mr. Lim time to prepare a chronology of the applications for permits made by the appellant.

APPEAL NO. 82-160

STEPHEN J. HEAGAN, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Denial on July 26, 1982 of permit to alter a building at 2323-2327 Divisadero Street (APPLICATION NO. 8205323).

Mr. Don Lim represented the Department of Public Works, and the appellant spoke for himself. After some discussion, the Board voted 5 - 0 to overrule the department with the stipulation that the risers of the stairs be 8" with a variation of no more than 3/16" inch.

APPEAL NO. 82-158

DAVID J. EID, dba "PEARL MARKET," Appellant vs. POLICE DEPARTMENT, Respondent

Denial on July 20, 1982 of permit for mechanical amusement devices at 1201 Divisadero Street.

Lawrence Wilson, Esq., represented the Police Department, and the attorney for the appellant was William J. Gedeon, Esq. Mr. Wilson stated that the San Francisco Hearing and Speech Center is a school which is within 300 feet of the store. Therefore, there can be no mechanical amusement devices on the premises. The appellant maintained that the San Francisco Hearing and Speech Center is not a school, only a counseling center, and therefore the department's objection was not valid. The Board voted to continue this matter to the meeting of August 11, to allow the Police Department time to ascertain whether this is indeed a school.

As there was no further business to bring before the Board, the meeting was adjourned at 7:00 p.m. by President Louis Giraudo.

DATE: AUGUST 4, 1982

LOUIS J. GIRAUDO, President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

MINUTES
MEETING OF THE BOARD OF PERMIT APPEALS
WEDNESDAY, AUGUST 11, 1982

At the request of Commissioner Engmann, who was out of town, this meeting was delayed, and was called to order at 6:00 p.m. by Acting President Agripino R. Cerbatos.

Present were: Vice-President Agripino R. Cerbatos
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Richard J. Guggenhime

DOCUMENTS DEPT.
AUG 20 1982
SAN FRANCISCO
PUBLIC LIBRARY

Also present were: Mr. Don Lim for the Department of Public Works; Lawrence Wilson, Esq. for the Police Department; Claire C. Pilcher, Executive Director, and Doris Levine, the official hearing reporter.

The following request for rehearing was considered by the Board and granted by a vote of 4 - 0.

APPEAL NO. 82-140

IRENE SUN, Appellant vs. DEPT. PUBLIC WORKS, Respondent
CITY PLANNING DISAPPROVAL

Denial on June 28, 1982, of permit to alter a building at 151-153A Fourth Avenue. APPLICATION NO. 8109436. (To be reheard at the meeting of August 18, 1982).

The following matters were from the regular calendared items:

APPEAL NO. 82-159

PATRICK DWAN, dba "GOLDEN STATE CONSTRUCTION," Appellant vs. DEPT. PUBLIC WORKS, Respondent

Imposition of penalty on July 26, 1982, for work done at 65 Henry Street. APPLICATION NO. 8204072. This matter was presented to the Board for further hearing, having been continued from the meeting of August 4, to allow the Department of Public Works and the appellant time to prepare a chronology of permits applied for by the appellant. After lengthy discussion, the Board voted 4 - 0 to concur with the Department.

APPEAL NO. 82-158

DAVID J. EID, dba "PEARL MARKET," Appl. vs. POLICE DEPARTMENT, Respondent

Denial on July 20, 1982, permit for mechanical amusement devices at 1201 Divisadero. This matter was likewise presented for further hearing. Lawrence Wilson, Esq. represented the Police Department, and presented a copy of a letter to the Board, showing that this is a bona fide school, certified by the State of California Department of Education. William J. Gedeon, Esq., attorney for the appellant, tried to rebut this evidence. Following some discussion by both sides, the Board voted 4 - 0 to concur with the department with the finding that the school is within the 300 foot limitation, and prohibits the mechanical amusement devices on the premises in question.

APPEAL NO. 82-162

TRO THI MILLS, dba "ROLLS ROYCE ESCORT & MASSAGE," Appellant vs. POLICE DEPARTMENT, Respondent

Revocation on July 28, 1982, of permits for masseuse and outcall massage service at 601 O'Farrell Street.
Lawrence Wilson, Esq. representing the Police Department, requested that this matter

be continued to allow the Department to include evidence brought out at the hearing of the Police Chief. This request was granted over the objections of the attorney for the appellant, LeRue Grim, Esq. The matter will be heard at the meeting of September 1, 1982.

As there were no further matters to bring before the Board, the meeting was adjourned at 7:00 p.m.

DATE: August 11, 1982

Agripino R. Cerbatos

AGRIPINO R. CERBATOS, Acting President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

BOARD OF PERMIT APPEALS
CITY HALL
SAN FRANCISCO, CA 94102

MINUTES

MEETING OF THE BOARD OF PERMIT APPEALS

WEDNESDAY, AUGUST 18, 1982

The regular meeting of the Board of Permit Appeals was called to order by President Louis J. Giraudo at 5:20 p.m.

DOCUMENTS DEPT.
SEP 8 1982
SAN FRANCISCO
PUBLIC LIBRARY

Present were: President Louis J. Giraudo
Vice President Agripino R. Cerbatos
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann

Commissioner Richard J. Guggenhime was absent from this meeting.

Also present were: Mr. Don Lim of the Department of Public Works; Mr. Sidney Shaw, representing the Department of City Planning; Claire C. Pilcher, Executive Director, and Doris Levine, the official hearing reporter.

As there were no requests for rehearing, the Board proceeded with the regular calendar.

APPEAL NO. 82-163

BYRON R. MEYER & COMPANY, Appl. vs. DEPT. PUBLIC WORKS, Respondent
Protesting issuance on July 30, 1982, to Plant Builders, Inc., permit to alter a building at 847 Sansome Street, (APPLICATION NO. 8110899).
The appellant asked for clarification from the permit holder regarding the required lot-line window agreement. The permit holder, Jonathan Parker, partner in the 847 Sansome Street Corporation agreed to the necessary terms. After a short discussion, the Board voted 4 - 0 to concur with the department with the following stipulations: (1) that the recorded letter be attached to the building permit; (2) that the permit holder will write a letter to Don Lim stating that the owner is now 847 Sansome Street Corporation; and (3) that a copy of the letter will be sent to the Board of Permit Appeals.

APPEAL NO. 82-164

ARIEL VALLS-MARTIN, Appellant vs. DEPT. PUBLIC WORKS, Respondent
Imposition of penalty on August 10, 1982, for work done at 355 Silver Avenue, (CHARGE NOTICE NO. 24363).
The appellant represented himself. Mr. Don Lim spoke for the Department of Public Works. After some discussion, the Board voted 4 - 0 to overrule the department with the stipulation that the department collect only a total of $20.00.

APPEAL NO. 82-165

NANCY CURVINO, dba "CLASSIC REMODELING & RENOVATION II," Appellant vs. DEPT. PUBLIC WORKS, Respondent
Imposition of penalty on August 10, 1982, for work done at 258 Hartford Street, (APPLICATION NO. 8206033).
Mr. Don Lim represented the Department of Public Works. The appellant's representative explained his appeal. After a short discussion, the Board voted 4 - 0 to overrule the department with the stipulation that the investigation fee be reduced in half (from $673.20 to $336.60), plus the permit fee of $74.80, for a total due the department of $411.40.

APPEAL NO. 82-166

ANCO IRON AND CONSTRUCTION CO., Appellant vs. DEPT. PUBLIC WORKS, Respondent
Imposition of penalty on August 10, 1982, for work done at 941 Grant Avenue, (APPLICATION NO. 8205691).
Mr. Don Lim spoke for the Department of Public Works. The appellant was represented by Mr. William Colina. Following a short discussion, the Board voted 4 - 0 to overrule the department with the stipulation that the investigation fee be reduced in half (from $413.10 to $206.55), plus the permit fee of $45.90, for a total due the department of $252.45.

APPEAL NO. 82-167

ANCO IRON AND CONSTRUCTION COMPANY, Appellant vs. DEPT. PUBLIC WORKS, Respondent
Imposition of penalty on August 10, 1982, for work done at 905 Grant Avenue, (APPLICATION NO. 8205692).
Mr. Don Lim spoke for the Department of Public Works. Mr. William Colina represented the appellant. After a short discussion, the Board voted 4 - 0 to overrule the department with the stipulation that the appellant pay the department a total of $500.00.

APPEAL NO. 82-140

IRENE C. SUN, Appellant vs. DEPT. PUBLIC WORKS, Respondent
CITY PLANNING DISAPPROVAL
Denial on June 28, 1982, of permit to alter a building at 151-153A Fourth Avenue, (APPLICATION NO. 8109436).
Mr. Don Lim represented the Department of Public Works, and Mr. Sidney Shaw spoke for the Department of City Planning. Ms. Sun spoke for herself, and explained her need for the disapproved apartment. Following a lengthy discussion, the Board voted 4 - 0 to concur with the department in disallowing the unit.

As there was no further business to bring before the Board, the meeting was adjourned at 6:15 p.m.

DATE: AUGUST 18, 1982

Louis J. Giraudo, President

Claire C. Pilcher

Claire C. Pilcher, Executive Director

BOARD OF PERMIT APPEALS
CITY HALL
SAN FRANCISCO, CA 94102

City Librarian

SF
P30
#3
9/1/82

M I N U T E S

MEETING OF THE BOARD OF PERMIT APPEALS

WEDNESDAY, SEPTEMBER 1, 1982

The regular meeting of the Board of Permit Appeals was called to order by President Louis Giraudo at 5:05 p.m.

DOCUMENTS DEPT.

SEP 2 8 1982

SAN FRANCISCO
PUBLIC LIBRARY

Present were: Louis J. Giraudo, President
Agripino R. Cerbatos, Vice President
Mattie J. Jackson, Commissioner
Douglas J. Engmann, Commissioner
Richard J. Guggenhime, Commissioner

Also present were: Mr. Bob Kelley of the Department of Public Works; Lawrence Wilson, Esq. and Officer Raymond West for the Police Department; Mr. Sidney Shaw for the Department of City Planning; Ms. Claire C. Pilcher, Executive Director, and Ms. Doris Levine, official hearing reporter.

Commissioner Guggenhime was detained, and arrived after the first appeal had been resolved.

As there were no requests for rehearing, the Board proceeded with the regular calendar.

APPEAL NO. 82-173

ANDREW CLYDE, dba "CLYDE CONSTRUCTION," Appellant vs. DEPT. PUBLIC WORKS, Respondent

Imposition of penalty on August 13, 1982, for work done at 1810 Harrison Street, APPLICATION NO. 8205587.

Mr. Bob Kelley represented the Department of Public Works, and explained the reasons for the penalty. In the absence of Mr. Clyde, the appellant, the Board voted 4 - 0 to concur with the department.

APPEAL NO. 82-171

NANCY J. BARRETT, dba "LUCKIE'S MASSAGE," Appellant vs. POLICE DEPARTMENT, Respondent

Revocation on August 2, 1982, of permit for massage establishment at 812 Sutter Street. The representative for the Police Department was Lawrence Wilson, Esq. The attorney for the appellant, Robert Sheppard, Esq. Lawrence Wilson told the Board that the Police Department has reached a settlement with the appellant that the permit is to be surrendered to the Police Department on January 1, 1983, if the Board would overrule with that stipulation. The Board then voted 5 - 0 to overrule the department with the stipulation as requested by the Police Department and appellant.

APPEAL NO. 82-175

GOLDEN GATE VALLEY NEIGHBORHOOD ASSOCIATION, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Protesting issuance on August 13, 1982, of permit to Seamus McGee to demolish a building at 1648 Union Street (APPLICATION NO. 8109119).
The Department of Public Works was represented by Mr. Bob Kelley, Chief Building Inspector. The protest appellants were represented by Attorney Nello J. Prato. The permit holder, Seamus McGee, was represented by Attorney James T. Johnson. The Board decided to continue this matter until the building permit was issued, and the matter was calendared for the meeting of September 29, 1982.

APPEAL NO. 82-161

GREG B. CARBONELL, dba "MANILA EXPRESS TRAVEL AGENCY," Appellant vs. POLICE DEPARTMENT, Respondent

Denial on July 20, 1982, of permit for mechanical amusement devices at 4711 Mission St. Lawrence Wilson, Esq. and Officer Raymond West explained the inappropriateness of having mechanical amusement devices at this address. The appellant was not present, nor was he represented, therefore, the Board voted 5 - 0 to concur with the department.

APPEAL NO. 82-162

TRO THI MILLS, dba "ROLLS ROYCE ESCORT & MASSAGE," Appellant vs. POLICE DEPARTMENT, Respondent

Revocation on July 28, 1982, of permits for masseuse and outcall massage service at 601 O'Farrell.

The Police Department was represented by Attorney Lawrence Wilson. The appellant was represented by her attorney, LeRue Grim. After some testimony from Officer West, and some discussion by the Board, the Board voted 5 - 0 to concur with the department.

APPEAL NO. 82-169

GORDON M. DeCHAMP, dba "MR. B's" Appellant vs. POLICE DEPARTMENT, Respondent

Denial on August 2, 1982, of permits for Adult Theater and Adult Bookstore at 82 Fifth Street North.

Lawrence Wilson, Esq. represented the Police Department. The appellant was represented by his attorney, Michael F. Wahlstadter. Following some discussion regarding the distance between the appellant's business and a similar business close by, the Board voted 5 - 0 to continue this matter to the meeting of September 22, 1982.

APPEAL NO. 82-170

ARRON E. BAKER, Appellant vs. POLICE DEPARTMENT, Respondent

Denial on August 2, 1982, of permit for Car Park Solicitor at 391 Broadway and 641 Vallejo Street.

Lawrence Wilson, Esq. represented the Police Department. Robert Selvidge, Esq. represented the appellant. The Police Department submitted evidence as to why they felt the permit should not be issued to the appellant. Following a discussion by the Board, the Board voted 5 - 0 to overrule the department with the finding that the owners of the restaurants for whom the appellant will park cars, find this acceptable.

APPEAL NO. 82-172

FORREST B. FRANKLIN, Appellant vs. POLICE DEPARTMENT, Respondent

Protesting issuance on August 2, 1982, of permit to Todd W. Gebhart for pushcart peddler on Sacramento Street (25 feet from northeast corner of Davis and Sacramento).

Lawrence Wilson, Esq. spoke for the Police Department. Walter Caplan, Esq., represented the Embarcadero Center, and stated their objections to granting this permit. Mr. Gebhart, the permit holder, represented himself. Following a lengthy discussion, the Board voted 3 - 2 to concur with the department, with President Giraudo and Commissioner Guggenhime voting to overrule. Because the four votes needed to overrule the department were not obtained, the department was upheld and the permit granted.

APPEAL NO. V82-152

HENRY D. GRUCHACZ/LILLIAN JANG, Appellants vs. ZONING ADMINISTRATOR, Respondent

Denial on July 1, 1982, of request for off-street parking variance at 367 Collingwood Street.

Mr. Sidney Shaw represented the Zoning Administrator, and Mr. Henry Gruchacz spoke in his own behalf. After some discussion by the Board, the vote was 5 - 0 to concur with the Zoning Administrator.

APPEAL NO. V82-168

DELBERT V. ROBSON, Appellant vs. ZONING ADMINISTRATOR, Respondent

Denial on August 3, 1982, of rear-yard variance to construct a rear deck at 1012 Shrader Street.

Mr. Sidney Shaw represented the Zoning Administrator. Attorney Burton Greenberg represented the appellant. The attorney for the appellant showed many pictures of the deck in question. Mr. Shaw had a chart substantiating the objections by the neighbors. Mr. and Mrs. Knight, next-door neighbors spoke regarding their objections to the variance.

APPEAL NO. V82-168 (Continued)

After some discussion by the Board, they voted 5 - 0 to concur with the department.

As there was no further business to bring before the Board, the meeting was adjourned at 8:00 p.m. by President Giraudo.

DATE: September 1, 1982

LOUIS J. GIRAUDO, President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

RD OF PERMIT APPEALS
CITY HALL
N FRANCISCO, CA 94102

City Librarian

DOCUMENTS DEPT.
OCT 4 1982
SAN FRANCISCO
PUBLIC LIBRARY

MINUTES

MEETING OF THE BOARD OF PERMIT APPEALS

WEDNESDAY, SEPTEMBER 8, 1982

The regular meeting of the Board of Permit Appeals was called to order by Acting-President Agripino R. Cerbatos.

Present were: Agripino R. Cerbatos, Vice President (Acting President)
Mattie J. Jackson, Commissioner
Douglas J. Engmann, Commissioner
Richard J. Guggenhime, Commissioner

Also present were: Paul Schwabacher, Jack Breslin, and Sam Ochi for the Department of Public Health; Mr. Bob Kelley, Chief Building Inspector, representing the Department of Public Works; Mr. Sidney Shaw for the Department of City Planning/ Zoning Administrator; Lawrence Wilson, Esq. for the Police Department; Ms. Alice Barkley, Deputy City Attorney; Ms. Claire C. Pilcher, Executive Director, and Ms. Doris Levine, official hearing reporter.

As there were no requests for rehearing, the Board proceeded with the regular calendar.

APPEAL NO. 82-179

ARTIN HAMAMCIYAN, dba "ARTKO CONSTRUCTION," Appellant vs. DEPT. PUBLIC WORKS, Respondent

Imposition of penalty on August 24, 1982, for work done at 207 Flood Street. APPLICATION NO. 8206767.

The department was represented by Bob Kelley, and the appellant spoke on his own behalf. Following a short discussion, the Board voted 4 - 0 to overrule the department with the stipulation that the Investigation Fee be reduced in half to $500, plus the permit fee of $291.50, for a total due the department of $791.50.

APPEAL NO. 82-181

HELEN GURMAN, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Imposition of penalty on August 27, 1982, for work done at 2109 Taraval Street. APPLICATION NO. 8206446.

Mr. Bob Kelley represented the Department of Public Works, and the appellant explained her reasons for doing work without a permit. After a short discussion, the Board voted 4 - 0 to overrule the department with the stipulation that the appellant pay the department two times the permit fee of $103.70, plus $250.00 Investigation Fee, for a total due the department of $457.40.

APPEAL NO. 82-183

HENRY H. WEI, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Imposition of penalty on August 30, 1982, for work done at 1614 Forty-Second Avenue.

Mr. Bob Kelley spoke on behalf of the department. Mr. Wei explained why he had been under the impression that this job did not need a permit. The Board then voted 4 - 0 to overrule the department with the stipulation that the appellant pay two times the permit fee, being a total of $21.50.

APPEAL NO. 82-182

MARC S. SCHWARTZ, dba "MARCO'S PIZZA," Appellant vs. POLICE DEPARTMENT, Respondent
CITY PLANNING DISAPPROVAL

Denial on August 23, 1982, of permit for mechanical amusement devices at 1535 Haight Street.

Lawrence Wilson, Esq. explained the Police Department's denial of this permit. The appellant spoke for himself. Following a short discussion, the Board voted 4 - 0 to overrule the department with the following stipulations: (1) that there be only two machines; (2) that both machines be the sit-down, table-top type; and (3) that these machines be complimentary to this family-type restaurant.

APPEAL NO. 82-188

EDWARD LOUDEN, dba "SWENSEN'S ICE CREAM," Appellant vs. DEPARTMENT OF PUBLIC HEALTH, Respondent

Denial on August 26, 1982, of permit for pushcart peddler on Pier 39.

Mr. Paul Schwabacher of the Department of Public Health explained the reasons for the denial, and stated the following stipulations which would be agreeable to the Department: (1) that the box will consist of no more than one layer of ice cream covered with dry ice; (2) that the wooden box will be converted to a metal box within one year's time; and (3) that the vendor will never be more than fifty feet from the main establishment.

APPEAL NO. 82-174

STANLEY ROTH, dba "SAN FRANCISCO PRETZEL COMPANY," Appellant vs. DEPARTMENT OF PUBLIC HEALTH, Respondent

Denial on August 6, 1982, of variance from pushcart requirements (replacement of pretzel carts).

Mr. Paul Schwabacher, Mr. Jack Breslin, and Mr. Sam Ochi represented the Department of Public Health. The appellant, Stanley Roth, spoke on his own behalf, explaining the cost and his objections to remodeling the pretzel carts to the specifications set down by the Department of Public Health. Following a short discussion, the Board decided to continue this matter to the meeting of September 22, 1982, upon the suggestion of the attorney for the appellant, Leslie S. Patrick, Esq., that the appellant and the department try to come to some agreement by that time.

APPEAL NO. 82-185

MILDRED HARRIS, Appellant vs. DEPT. OF PUBLIC WORKS, Respondent

Denial on September 1, 1982, of application for plumbing permit.

Mr. Bob Kelley represented the Department of Public Works. Ms. Mildred Harris spoke on her own behalf, and explained the reasons for the plastic piping. Following some discussion, the Board voted 4 - 0 to overrule the department, with the finding that as the plastic plumbing only occurs in the two-story part of the house, the intent of the Building Code has been met. The Board added the stipulation that there will be no plastic piping in the three-story portion of the building.

APPEAL NO. 82-176

ROSE CLAIRE MANGINI, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Protesting issuance on August 11, 1982, of permit to Norman S. Shearer to alter a building at 3001 Webster Street. APPLICATION NO. 8205664.

The appellant explained the objections of the neighbors, and several of them spoke about their concerns regarding the impact this business would have on their neighborhood. The permit holder and her attorney, Joseph J. Kissela explained their plans for the cafe.

The Board then decided to hold a site inspection on this property on Monday, September 20, 1982 at 5:30 p.m., and to continue the matter to September 22, 1982, meeting for a vote.

APPEAL NO. 82-180

EUGENE S. AND EDNA CALDWELL, Appellants vs. DEPT. PUBLIC WORKS, Respondent

Protesting issuance on August 20, 1982, of permit to Gordon Yue Kwan Hui to alter a building at 933 Clement Street. APPLICATION NO. 8204559.

The appellants stated that this matter has been settled with the permit holder, and the Board voted 4 - 0 to concur with the department and to issue said permit with the following stipulations: (1) both ducts would be relocated to the opposite side of the building; (2) both ducts would be raised six feet to vent away from the windows; and (3) there will be no garbage storage in the rear yard.

APPEALS NO. 82-177, 82-184, and V82-186

ROBERT M. AND MOLLY RUBINO, Appellants vs. DEPT. OF PUBLIC WORKS, and ZONING ADMINISTRATOR, Respondents

Protesting the issuance of permits to Elaine E. Minear to alter a building at 22 Lower Terrace. APPLICATION NO. 8201694 and 8206944.

These three appeals involve the same property, same appellants, and same permit holder. The appellants, Mr. and Mrs. Rubino, informed the Board of their several concerns regarding the permits and variance granted for a "community garage" at this address. Ms. Elaine Minear, the permit holder, stated her views. Following discussion, the Board decided to hold a site inspection on Monday, September 20, 1982, at 6:30 p.m., and to continue this matter to the regular meeting of September 22, 1982, for a vote.

APPEAL NO. 82-187

MAMA'S OF SAN FRANCISCO, INC., Appellant vs. ZONING ADMINISTRATOR, Respondent

Determination of the Zoning Administrator on August 31, 1982, disapproving place of entertainment permit at 1177 California Street.

Mr. Robert Passmore, the Zoning Administrator, spoke on his own behalf. Terrence L. Bruiniers, Esq. and William Coblentz, Esq. represented the Gramercy Towers Condominium owners. David Heilbron, Esq. represented "MAMA'S OF SAN FRANCISCO, INC." Alice Barkley, Deputy City Attorney, gave her opinion of the City's position in this matter, i.e., that it must go to the City Planning Commission for conditional use. During the discussion by the Board, Commissioner Engmann stated that, in his opinion, the advertising by "MAMA'S" clearly violated the permit conditions. After some further discussion, the Board decided to continue this matter to the meeting of September 22, 1982, for the vote.

As there was no further business to bring before the Board, the meeting was adjourned at 11:30 p.m.

DATE: September 8, 1982

Agripino R. Cerbatos

AGRIPINO R. CERBATOS, Acting President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

BOARD OF PERMIT APPEALS
CITY HALL
SAN FRANCISCO, CA 94102

City Librarian

SF
220
3
9/22/82

DOCUMENTS DEPT.
NOV 2 1982
SAN FRANCISCO
PUBLIC LIBRARY

MINUTES
MEETING OF THE BOARD OF PERMIT APPEALS
WEDNESDAY, SEPTEMBER 22, 1982

The regular meeting of the Board of Permit Appeals was called to order by President Louis Giraudo at 5:10 p.m.

Present were: Louis J. Giraudo, President
Agripino R. Cerbatos, Vice President
Mattie J. Jackson, Commissioner
Douglas J. Engmann, Commissioner
Richard J. Guggenhime, Commissioner

Also present were: Don Lim of the Department of Public Works; Alice Barkley, Deputy City Attorney; Lawrence Wilson, Esq. and Officer Mahoney for the Police Department; Sidney Shaw and Nancy Gin for the Department of City Planning/ Zoning Administrator; Paul Schwabacher representing the Department of Public Health; Ms. Claire C. Pilcher, Executive Director, and Ms. Doris Levine, official hearing reporter.

As there were no requests for rehearing, the Board proceeded with the regular calendar.

The first appeal was called out of order and was number 8 on the calendar:

APPEAL NO. 82-173

ANDREW CLYDE, dba "CLYDE CONSTRUCTION," Appellant vs. DEPT. PUBLIC WORKS, Respondent

Imposition of penalty on August 13, 1982, for work done at 1810 Harrison Street.
APPLICATION NO. 8205587

Don Lim represented the Department of Public Works. Andrew Clyde spoke in his own behalf.

The Board then voted 5 - 0 to overrule the department with the stipulation that the Investigation Fee be reduced in half to be $336.60, plus the permit fee of $74.80, for a total due the department of $411.40.

APPEAL NO. 82-189

CRUZ LUNA, et al, Appellant vs. DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

Protesting issuance on August 24, 1982, to 1000 Montgomery Association, of permit to alter a building at 1000 Montgomery Street.
APPLICATION NO. 8103556

This matter was called out of order at the request of Claire C. Pilcher, Executive Director of the Board. The attorneys, Lawrence C. Yee, Esq. representing the Appellant, and Thomas J. LaLanne, Esq. for the permit holders, agreed to a continuance of one week for a site inspection and vote regarding this appeal. Nancy Gin, of the Department of City Planning presented City Planning Commission Resolution No. 9322 to the Board. Alice Barkley, represented the City Planning Department in this appeal. The Board then decided to have a site inspection on this property on Tuesday, September 28, 1982, at 8:00 a.m., and to continue this matter to the meeting of September 29, 1982.

APPEAL NO. 82-177

ROBERT M. AND MOLLY RUBINO, Appellants vs. DEPT. PUBLIC WORKS, Respondent

Protesting issuance on August 12, 1982, of permit to Elaine E. Minear to alter a building at 22 Lower Terrace.
APPLICATION NO. 8201694

This Application Number was replaced by Application No. 8206944. Therefore, this appeal is moot.

APPEAL NO. 82-184

ROBERT M. AND MOLLY RUBINO, Appellants vs. DEPT. PUBLIC WORKS, Respondent

Protesting issuance on August 27, 1982, of permit to Elaine E. Minear to alter a building at 22 Lower Terrace.

The Commissioners held a site inspection on this property on September 20, 1982, and because all the testimony regarding this protest appeal had been heard at previous meetings, they were ready to vote on this appeal. The vote was 5 - 0 to concur with the department and to grant the permit with the following stipulations: (1) That the entire rear wall of the garage be built as detailed in the drawing attached to Bruce Baumann's letter of September 21, 1982, to wit:

(a) Insulation will be provided to decrease sound transfer through the rear wall by installing 5/8" gypsum board over resilient furring channel on 2 x 4 staggered studs with 3 1/2" blanket insulation between.

(b) Parking shall be for three spaces only, one standard sized and two sub-standard sized.

(c) Concrete bumpers for the wheels of the automobiles will be provided for each car space.

(d) Prior to construction, access to the existing site will be blocked off to prevent motorists from using the area for a turnaround;

(2) That $20,000 will be placed in the Escrow Account No. 40241, with the Montgomery Street Office of SafeCo Title Company.

APPEAL NO. V82-186

ROBERT M. AND MOLLY RUBINO, Appellants vs. ZONING ADMINISTRATOR, Respondent

Protesting the granting on July 12, 1982, to Mr. Ben Wooster of Off-Street Parking Variance at 22 Lower Terrace.

A site inspection had been held on this property on September 20, 1982, and brought to the Board today for voting only. The Board voted 5 - 0 to concur with the department and grant the variance with the condition that the garage be for three cars (one standard and two sub-standard size) instead of the four requested in this variance.

APPEAL NO. 82-191

DOUGLAS A. DEAL, Appellant vs. DEPT. PUBLIC HEALTH, Respondent

Denial on August 30, 1982, of permit to operate a popcorn machine at Pier 39.

Paul Schwabacher spoke for the department. Mr. Deal represented himself. Mr. Schwabacher stated that the following stipulations should be incorporated in the permit: (1) That all interior wood surfaces must be covered with metal or plastic; (2) That service openings will be limited to 216 square inches; (3) That the hand-washing and toilet facilities of Neptune's Palace will be used; (4) That there will be a trash container along side the cart; (5) That air going into the cart must be filtered; (6) That the cart and its operator will never be more than 50 feet from Neptune's Palace; (7) That all the requirements of the Health Department will be met. The Board then voted 5 - 0 to overrule the department, and to grant the permit with the stipulations as stated by Mr. Schwabacher.

APPEAL NO. 82-187

MAMA'S OF SAN FRANCISCO, INC., Appellant vs. ZONING ADMINISTRATOR, Respondent

Determination of the Zoning Administrator on August 31, 1982, disapproving place of entertainment permit at 1177 California Street.

The Zoning Administrator was represented by Sidney Shaw. Mama's of San Francisco was represented by James L. Hunt, Esq. of the law firm of McCutchen, Doyle, Brown & Enersen, and the Gramercy Towers Homeowners Association was represented by Terence L. Bruiniers, Esq. of the law firm of Farrand, Malti & Cooper. Following a private Executive Session, the Board voted 5 - 0 to overrule the Zoning Administrator's determination and grant the entertainment permit, upon the following conditions: (1) That the soundproofing conditions agreed upon with Gramercy Towers Homeowners Association shall be met; (2) Congestion in the hallways shall be eliminated, in accordance with plans approved by the Bureau of Building Inspection; (3) That the entertainment shall cease no later than 10:30 p.m., seven nights a week; (4) That there shall be no more than six performers in any performance; (5) The capacity shall be limited to 100 patrons; (6) Mama's shall apply within one week of the date of the Board's decision for a conditional use permit; (7) That within thirty (30) days after the granting of a conditional use permit, Mama's must meet all construction-related conditions herein; (8) The conditional use procedure must be pursued in good faith and must be completed within six months; (9) If the conditional use permit is not granted, the permit shall automatically expire (following any administrative appeals); and (10) If the conditional use process exceeds six months solely at the fault of the City, then the six-month period shall be extended for whatever legal time is necessary before enforcing Condition 9.

APPEAL NO. 82-176

ROSE CLAIRE MANGINI, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Protesting issuance on August 11, 1982, of permit to Norman S. Shearer to alter a building at 3001 Webster Street.
APPLICATION NO. 8205664

A site inspection had been done on this property on Monday, September 20, 1982, and all the evidence regarding this appeal had been heard at the meeting of September 8, 1982. Therefore, the Commissioners voted 4 - 1 to concur with the department and to grant the permit. (Commissioner Engmann voting to overrule.)

APPEAL NO. 82-169

GORDON DeCHAMP, dba "MR. B's", Appellant vs. POLICE DEPARTMENT, Respondent

Denial on August 2, 1982, of permits for Adult Theater and Adult Bookstore at 82 Fifth Street North.

The Police Department was represented by Lawrence Wilson, Esq. and Officer Michael Mahoney. The Appellant was represented by Michael F. Wohlstadter, Esq. Commissioner Guggenhime asked permission from the other members to disqualify himself from this case, as his law firm represented the owner of the building, Mrs. Virginia D. Daphne. The Board gave their permission, so this matter was heard by a four-member Board. Following the presentation of evidence by both sides, the Board voted 4 - 0 to concur with the department and to deny said permit, because of the proximity of other similar establishments in violation of the Code.

APPEAL NO. 82-193

WILLIE KELSEY, SR., Appellant vs. POLICE DEPARTMENT, Respondent
DEPT. PUBLIC WORKS DISAPPROVAL

Denial on September 3, 1982, of permit for mechanical amusement devices at 6239 Third Street.

The Police Department was represented by Lawrence Wilson, Esq. and Officer Michael Mahoney. Mr. Don Lim, representing the Department of Public Works, stated that they were withdrawing their objections. Following some further discussion, the Board voted 5 - 0 to overrule the department with the stipulations as stated in the Findings of Fact signed by Deputy Chief Cordes: (1) That the permit will be for four machines; (2) No person under the age of 18 years will enter the premises during school hours; (3) No operation of machines between the hours of 11 p.m. and 6 a.m.

APPEAL NO. 82-194

ROBERT LEON BARKALOFF, dba "ALYOSHA'S," Appellant vs. POLICE DEPARTMENT, Respondent

Lawrence Wilson, Esq. and Officer Michael Mahoney represented the Police Department. Mr. and Mrs. Barkaloff represented themselves. Officer Mahoney offered to find another location in the Bayview District for this Appellant and asked to continue this matter until the meeting of October 20, 1982. The Board agreed to continue this matter.

APPEAL NO. 82-190

IRWIN COTTON, Appellant vs. DEPT. OF PUBLIC WORKS, Respondent
CITY PLANNING DISAPPROVAL

Denial on September 8, 1982, of permit to alter a building at 2671-73 Sutter Street. APPLICATION NO. 8200891

Sidney Shaw represented the Department of City Planning, and stated his objections to this permit. Neighbors John Lopez, Doreen Gold, and Hugh O'Boyle spoke on behalf of the department. The Appellant, Irwin Cotton, represented himself claiming the extra unit pre-existed the Zoning requirements. Following a discussion, the Board voted 5 - 0 to concur with the department, stating that if the Appellant found new evidence to support his claim, he could request a rehearing.

APPEAL NO. V82-192

STEVEN D. ZAKULA, Appellant vs. ZONING ADMINISTRATOR, Respondent

Denial on August 31, 1982, of request for off-street parking variance at 1330 Francisco Street.

In the absence of Mr. Zakula or his attorney, the Board voted 5 - 0 to concur with the department.

As there was no further business to bring before the Board, the meeting was adjourned at 9:15 p.m.

SPECIAL MEETINGS OF THE BOARD OF PERMIT APPEALS-SITE INSPECTIONS

APPEAL NO. 82-176

ROSE CLAIRE MANGINI, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Protesting issuance on August 11, 1982, of permit to Norman S. Shearer to alter a building at 3001 Webster Street.
APPLICATION NO. 8205664

Site inspection was held at 5:30 p.m., Monday, September 20, 1982. All the Commissioners except Commissioner Jackson were present, as well as Executive Director Claire C. Pilcher and Sidney Shaw of the Department of City Planning. Many of the interested neighbors were also present, and the permit holders, Mr. and Mrs. Norman S. Shearer.

APPEAL NO. V82-186

ROBERT M. AND MOLLY RUBINO, Appellants vs. ZONING ADMINISTRATOR, Respondent

Site inspection was held at 6:30 p.m., Monday, September 20, 1982. All Commissioners except Commissioner Jackson were present, as well as Executive Director Claire C. Pilcher and Sidney Shaw of the Department of City Planning. Also the Appellants, Mr. and Mrs. Robert Rubino, and the permit holder, Mr. Ben Wooster.

DATE: September 22, 1982

LOUIS J. GIRAUDO, President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

DOCUMENTS DEPT.
NOV 2 1982
SAN FRANCISCO
PUBLIC LIBRARY

MINUTES

MEETING OF THE BOARD OF PERMIT APPEALS

WEDNESDAY, SEPTEMBER 29, 1982

The regular meeting of the Board of Permit Appeals was called to order by President Louis J. Giraudo at 4:45 p.m.

Present were: President Louis J. Giraudo
Vice President Agripino R. Cerbatos
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann (left meeting early)
Commissioner Richard J. Guggenhime

Also present were: Don Lim for the Department of Public Works; Sidney Shaw and Nancy Gin represented the Department of City Planning; Lawrence Wilson, Esq. for the Police Department; Alice Barkley and David May, Esq. representing the City Attorney's office; Claire C. Pilcher, Executive Director, and Doris Levine, official court reporter.

The request for rehearing from Irwin Cotton, Appeal No. 82-190, was deferred until the end of the meeting, in order to allow as many items from the calendar to be heard with a five-member board as possible, before the departure of Commissioner Engmann.

The first matter from the regular calendar was:

APPEAL NO. 82-201

JOHN KOVACKS, dba "DEL HOMBRE INVESTMENT GROUP, INC.," Appellant vs. DEPT. PUBLIC WORKS, Resp.

Appealing for refund of penalty for work done at 1437 Haight Street. (APPLICATION NO. 8201909).

Don Lim spoke for the department. Mr. Kovaks spoke for himself. Following a short discussion, the Board voted 5 - 0 to overrule the department, with the stipulation that the penalty be reduced to two times the permit fee of $12.00, for a total due the department of $24.00.

APPEAL NO. 82-195

HEATHER W. ROTH, Appellant vs. POLICE DEPT., Respondent

Denial on September 3, 1982, of pushcart peddler permit at Polk Street between Grove and McAllister Streets.

Lawrence Wilson, Esq. represented the Police Department. Leslie Patrick, attorney for the appellant, spoke on behalf of the appeal. Joe Smith, blind concessionaire at City Hall, and Ray Lemos, from 50 U.N. Plaza, spoke regarding their objections to the food cart in front of City Hall. Following a short discussion, the Board voted 5 - 0 to overrule the department and to grant the permit with the following stipulations: (1) that the cart sell only pretzels; and (2) that a trash receptacle either be attached to the outside of the cart, or placed alongside the cart.

APPEAL NO. 82-196

ANDREW W. SIMPSON, Appellant vs. POLICE DEPT., Respondent

Denial on September 3, 1982, of pushcart peddler permit at Golden Gate Avenue between Polk and Larkin Streets.

Lawrence Wilson, Esq. spoke for the Police Department. Leslie Patrick, Esq. represented the appellant. Several of the blind concessionaires stated their concerns regarding a food cart in front of the Federal Building. After some discussion, the Board voted 5 - 0 to overrule the department, and to grant the permit with the following stipulations: (1) that the pushcart sell only pretzels; and (2) that a trash receptacle either be attached to the outside of the cart, or be placed alongside the cart.

APPEAL NO. 82-189

CRUZ LUNA, et al, Appellant vs. DEPT. PUBLIC WORKS, Resp.
CITY PLANNING APPROVAL

Protesting issuance on August 24, 1982, to 1000 Montgomery Association, permit to alter a building at 1000 Montgomery Street (APPLICATION NO. 8103556).

A site inspection was held at this location on Tuesday, September 28, 1982. The appellants were represented by Lawrence Yee, Esq. of the San Francisco Neighborhood Legal Assistance Foundation. Several of the appellants (tenants) voiced their concerns about the conversion of the building. Also, many neighbors spoke on behalf of the tenants and against granting of the permit. The following members of the community also spoke: Gordon Chin of the Chinatown Neighborhood Association; Stephen Goldstine, President of the San Francisco Art Institute, and Christopher Martin, Manager of "The Cannery."

Nancy Gin represented the Department of City Planning, and spoke of the intentions of the permit holder to try to lessen the impact of this permit by giving lifetime leases to the tenants over the age of 59 in the building at 1010 Montgomery Street, and pay moving costs for others. Thomas La Lanne, Esq. spoke for himself as a partner in the project. Burton Goldstein, Esq., attorney for the permit holders, made a presentation also.

Following a lengthy discussion, the Board voted 3 - 2 to overrule the department, with Commissioners Giraudo and Guggenhime voting to concur. As four votes are needed to overrule the department, the department was upheld and the permit granted. President Giraudo added that all the commissioners had read and considered the Negative Declaration.

APPEAL NO. V82-198

(TAKEN OUT OF ORDER)

STANLEY W. & ISABELLE D. TAYLOR/ WAYNE M. CORN & KLAUSE E. MAY, Appellant vs. ZONING ADMINISTRATOR, Resp.

Appealing the conditions imposed on the granting of rear yard variance on September 7, 1982, 719 Scott Street.

The San Francisco Zoning Administrator was represented by Sidney Shaw, and the appellants spoke on their own behalf. David May, Deputy City Attorney, discussed the long history and litigation regarding this property. Both sides used many pictures of the property in question to emphasize their positions. The Board then discussed the appeal, and voted 5 - 0 to concur with the Zoning Administrator in granting the variance with the conditions.

APPEAL NO. 82-175

GOLDEN GATE VALLEY NEIGHBORHOOD ASSOCIATION, INC., Appellant vs. DEPT. PUBLIC WORKS, Resp.

Protesting the issuance on August 13, 1982, to Seamus McGee, of permit to demolish a building at 1648 Union Street (APPLICATION NO. 8109119).

When this matter was first heard on September 1, 1982, the Board decided to wait until the site and building permits had been issued, and continued this matter to today's hearing. At this time, the other permits have not been issued. The appellant was represented by Mr. Robert David, President of the Golden Gate Valley Neighborhood Association, who stated his objections to the issuance of the demolition permit. The permit holder, Seamus McGee, was represented by his attorney, James T. Johnson, and the architect for the project, Ms. Mary Hanni, explained the plans. The Board then voted 5 - 0 to concur with the department with the stipulation that the permit not be effective, and demolition not occur until all administrative remedies have been exhausted.

APPEAL NO. 82-202

JAMES L. McSHANE, Appellant vs. DEPT. PUBLIC WORKS, Resp.

Protesting issuance on September 17, 1982, to Man Wong, permit to alter a building at 1335 Thirty-Fourth Avenue (APPLICATION NO.8202661).

The appellant described his objections to the permit allowing Mr. Wong to build on to his house. Several neighbors, Mr. Daggit and Mr. Rose, substantiated his objections, and raised some of their own. The permit holder, Man Wong, was represented by his attorney, Edward Liu, of the law firm of Lew and Fong. Following some discussion, the Board voted 4 - 0 (Commissioner Engman left before the vote was taken) to concur with the department and allow the permit to be issued with the suggestion that the appellant accommodate his neighbors insofar as parking his cars.

APPEAL NO. 82-200

JOSEPH D. JOHNSON, Appellant vs. POLICE DEPT., Respondent

Denial on September 10, 1982, of permit to operate a taxicab.

Lawrence Wilson, Esq. represented the Police Department. The appellant was not present, nor was he represented, hence, the Board voted 4-0 to concur with the department (Commissioner Engmann having left during the previous appeal).

APPEAL NO. 82-197

ALBERTO M. DeLEON, dba "RESTAURANT MEXICO," Appellant vs. POLICE DEPT., Respondent

Lawrence Wilson, Esq. represented the Police Department. The appellant was not present, nor was he represented. Therefore, the Board voted 4 - 0 to concur with the department.

APPEAL NO. 82-199

JOHN L. PASINI, Appellant vs. DEPT. PUBLIC WORKS, Resp.
FIRE DEPARTMENT DISAPPROVAL

Denial on September 10, 1982, of permit to alter a building at 136 Beulah Street (APPLICATION NO. 8205861).

Mr. Don Lim represented the Department of Public Works and the Fire Department, and explained the dangers of not fireproofing the building as stated in the application. After the Board discussed the merits of the appeal, they voted 4 - 0 to overrule the department with the following stipulations: (1) sprinkler head on each side of door to each unit; (2) one-hour sheetrock in hallway, stairway, and lobby; and (3) fire-rated doors for each unit.

The request for rehearing was presented to the Board regarding:

APPEAL NO. 82-190

IRWIN COTTON, Appellant vs. DEPT. PUBLIC WORKS, Resp.
CITY PLANNING DISAPPROVAL

Denial on September 8, 1982, of permit to alter a building at 2671-73 Sutter Street. (APPLICATION NO. 8200891)
The appellant submitted copies of pages of Polk's Directory, and the Board granted the request for rehearing, by a vote of 4 - 0. The matter was scheduled for rehearing at the meeting of October 20, 1982.

As there was no further business to bring before the Board, the meeting was adjourned at 10:15 p.m.

SPECIAL MEETING OF THE BOARD OF PERMIT APPEALS - SITE INSPECTION

APPEAL NO. 82-189

CRUZ LUNA, et al, Appellant vs. DEPT. PUBLIC WORKS, Resp.
CITY PLANNING DISAPPROVAL

Protesting issuance on August 24, 1982, to 1000 Montgomery Association, of permit to alter a building at 1000 Montgomery Street. (APPLICATION NO. 8103556)

A site inspection was held at this location on Tuesday, September 28, 1982 at 8:00 a.m. All the Commissioners were present. Many of the appellants were also present.

DATE: September 29, 1982

LOUIS J. GIRAUDO, President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

DOCUMENTS DEPT.
NOV 2 1982
SAN FRANCISCO
PUBLIC LIBRARY

MINUTES
MEETING OF THE BOARD OF PERMIT APPEALS
WEDNESDAY, OCTOBER 20, 1982

The regular meeting of the Board of Permit Appeals was called to order at 5:15 p.m. by President Louis J. Giraudo.

Present were: Louis J. Giraudo, President
Vice President Agripino R. Cerbatos
Commissioner Mattie J. Jackson
Commissioner Richard J. Guggenhime

Also present were: Don Lim of the Department of Public Works; Sidney Shaw for the Department of City Planning; Alice Barkley representing the City Attorney's Office; Lawrence Wilson, Esq, and Officer Mahoney for the Police Department; Claire C. Pilcher, Executive Director, and Doris Levine, official hearing reporter.

The following requests for rehearing were granted, and will be calendared to be reheard at the meeting of October 27, 1982.

APPEAL NO. 82-199

JOHN L. PASINI, Appellant vs. DEPT. PUBLIC WORKS, Resp.
S.F. FIRE DEPT. DISAPPROVAL

Denial on September 10, 1982, of permit to alter a building at 136 Beulah Street (APPLICATION NO. 8205861).

(Rehearing requested by Department of Public Works.)

APPEAL NO. 82-189

CRUZ LUNA, et al, Appellant vs. DEPT. PUBLIC WORKS, Resp.
CITY PLANNING APPROVAL

Protesting issuance on August 24, 1982, to 1000 Montgomery Association, permit to alter a building at 1000 Montgomery Street (APPLICATION NO. 8103556).

The Board took jurisdiction beyond the ten-day period in the request from Mr. Wallace Reid (HOLIDAY FURS, LTD.), but refused to take jurisdiction beyond the ten-day period in the request from Vincent Courtney, Esq. representing Mr. Bordin Canada who was denied a permit for mechanical amusement devices on May 14, 1982 by San Francisco Police Department.

The following matters were then heard:

APPEAL NO. 82-203
(TAKEN OUT OF ORDER)

MARION M. CELLA, Appellant vs. DEPT. PUBLIC WORKS, Resp.

Protesting issuance on September 13, 1982, of permit to William Lee to erect a building at 54 Bret Harte Terrace (APPLICATION NO. 8105159S).

President Giraudo disqualified himself because he had a conflict of interests in this matter. The attorney for the permit holder, William Lee, Esq. and the attorney for the appellant, Paul E. Gaspari, Esq. were asked to confer in the hall and attempt to come to an agreement. This was done, and at the end of the meeting, it was announced that they had resolved their differences, and the appeal was withdrawn.

APPEAL NO. 82-205

JANIS STONE, Appellant vs. DEPT. PUBLIC WORKS, Resp.

Imposition of penalty on September 27, 1982, for work done at 946 Elizabeth Street. (APPLICATION NO. 8207231).

Don Lim represented the Department of Public Works. The appellant, Ms. Janis Stone, spoke on her own behalf. Following a short discussion, the Board voted 4 - 0 to overrule the department and reduce the penalty in half from $283.05 to $141.00, plus the permit fee of $31.45, for a total due the department of $172.45.

APPEAL NO. 82-208

PATTI C. McWILLIAMS, Appellant vs. DEPT. PUBLIC WORKS, Resp.

Imposition of penalty on September 30, 1982, for work done at 4038 - 23rd Street (APPLICATION NO. 8206182).

The Department of Public Works was represented by Don Lim, and the appellant spoke for herself. A short discussion ensued, and the Board voted 4 - 0 to overrule the department with the stipulation that the amount owed the department was two times the permit fee of $17.00, for a total of $34.00.

APPEAL NO. 82-210

ZALAMAN BARON, Appellant vs. DEPT. PUBLIC WORKS, Resp.

Imposition of penalty on September 28, 1982, for work done at 441 - 30th Avenue.

Don Lim spoke for the Department of Public Works. The appellant spoke for himself. After a short discussion, the Board voted 4 - 0 to overrule the department, with the stipulation that the amount due would be two times the permit fee of $50.25, for a total of $100.50. As the department waived its right to request a rehearing, the decision was promised for release to the department within the next few days, instead of waiting the usual ten-day period.

APPEAL NO. 82-216

MARY AGNES EARLE, Appellant vs. DEPT. PUBLIC WORKS, Resp.

Appealing for refund of penalty for building work at 393 - 30th Street. (APPLICATION NO. 8207786).

Don Lim represented the Department of Public Works, and the appellant spoke for himself. Following a short discussion, the Board voted 4 - 0 to overrule the department with the stipulation that the penalty be reduced in half from $153.00 to $76.50, plus the permit fee of $17.00, for a total due the department of $93.50.

APPEAL NO. 82-204

SAN FRANCISCANS FOR REASONABLE GROWTH, Appellants vs. DEPT. PUBLIC WORKS, Resp.

Protesting issuance on September 15, 1982, to Bank of Canton, permit to erect a building at 555 Montgomery Street (APPLICATION NO. 8106361S).

This matter was continued to the meeting of October 27, 1982, for the hearing of a procedural matter only. The issues of the appeal will be heard at the meeting of November 3, 1982.

APPEAL NO. 82-218

KOKPO NG, Appellant vs. DEPT. PUBLIC WORKS, Resp.

Imposition of penalty on October 6, 1982, for work done at 1995 - 15th Avenue. (Plumbing Charge Notice No. 25482).

Don Lim spoke for the Department of Public Works, and the appellant represented himself. Following a short discussion, the Board voted to concur with the department. The appellant will pay the department a total of $677.20, or a lesser amount if agreed upon by the Department of Public Works.

APPEAL NO. 82-194

ROBERT LEON BARKALOFF, dba "ALYOSHA'S," Appellant vs. POLICE DEPARTMENT, Resp.

Denial on September 3, 1982, of peddler's permit on Fulton Street between Ninth and Tenth Avenues.

Lawrence Wilson, Esq. and Officer Mahoney of the Police Department explained the situation. Officer Mahoney had previously offered to find a more suitable location for this appellant. The appeal was presented to the Board for further hearing, and Officer Mahoney stated that he had found that the corner of Bayshore and Oakdale would be better for the appellant. The Board then voted 4 - 0 to overrule the department and to grant the permit to be issued for the corner of Bayshore and Oakdale.

APPEAL NO. 82-211

THU HONG HUYNH, Appellant vs. POLICE DEPARTMENT, Resp.

Revocation on October 1, 1982, of masseuse permit at 738 Larkin Street.

The Police Department was represented by Lawrence Wilson, Esq. He stated that the appellant had paid all charges and the fee for the renewal of her permit. The Board then voted 4 - 0 to overrule the department.

APPEAL NO. 82-212

SAMUEL E. UNGER, Appellant vs. POLICE DEPARTMENT, Resp.

Revocation on October 1, 1982, of permit to operate a taxicab.

Lawrence Wilson, Esq. represented the Police Department. Appellant spoke for himself and agreed to pay his permit fee and late charges. Matter continued to meeting of October 27, 1982.

APPEAL NO. 82-213

MAE LAZARUS, Appellant vs. POLICE DEPARTMENT, Resp.

Revocation on October 1, 1982, of masseuse permit at 230 Post Street. (ELIZABETH ARDEN SALON).

Lawrence Wilson, Esq. represented the Police Department. The appellant spoke for herself, and agreed to pay her permit fee and any late charges. Matter continued to meeting of October 27, 1982.

APPEAL NO.82-214

GREGORY L. NIETO, Appellant vs. POLICE DEPARTMENT, Resp.

Revocation on October 1, 1982, of permit to drive a public vehicle.

Lawrence Wilson, Esq. represented the Police Department. The appellant spoke for himself, and agreed to pay his permit fee and any late charges. Matter continued to meeting of October 27, 1982.

APPEAL NO. 82-215

LE MINH THI HYUNH, Appellant vs. POLICE DEPARTMENT, Resp.

Revocation on October 1, 1982, of masseuse permit at 467 O'Farrell Street.

Lawrence Wilson, Esq. represented the Police Department. The appellant spoke for herself, and agreed to pay her permit fee and any late charges. Matter continued to meeting of October 27, 1982.

APPEAL NO. 82-190

IRWIN COTTON, Appellant vs. DEPT. PUBLIC WORKS, Resp.
CITY PLANNING DISAPPROVAL

Denial on September 8, 1982, of permit to alter a building at 2671-73 Sutter Street. (APPLICATION NO. 8200891).

Sidney Shaw represented the City Planning Department. Mr. Irwin Cotton, the appellant, explained the new evidence which he had submitted to the Board;

including copies of Polk's Directory. Following a short discussion, the Board voted 3 - 1 to concur with the department. Vice President Cerbatos voted to overrule the department. As four votes are necessary to overrule the department, the department was upheld.

APPEAL NO. 82-207

RICHARD J. WALL, dba "100 BROADWAY ASSOCIATES," Appellant vs. DEPT. PUBLIC WORKS, Resp.

Denial on September 29, 1982, of permit to alter a building at 100-120 Broadway (APPLICATION NO. 8204668).

Don Lim represented the Department of Public Works, stating their objections to the project, which did not meet seismic requirements according to the code. The appellant was represented by Mr. Walter M. Bank, partner in the project, who showed a model of the building in question. He also illustrated the changes to be made, using the model as well as pictures. After a short discussion, the Board decided to hold a site inspection on the property on Tuesday, October 26, 1982, at 8:00 a.m., and to continue the matter to the meeting of October 27, 1982.

APPEAL NO. 82-209

O'ARCH & URAI CHALOEICHEEP, Appellant vs. DEPT. PUBLIC WORKS, Resp.

Protesting issuance on September 28, 1982, of permit to Edwin O. Brooks to alter a building at 615 - 27th Street (APPLICATION NO. 8108876).

The appellants explained their reasons for objecting to the granting of the permit to add to the building at 615 - 27th Street. The permit holder, Edwin O. Brooks, represented himself. Following a short discussion, the Board voted 4 - 0 to concur with the department and to grant said permit.

APPEAL NO. 82-206

JAMES J. BRUNO, dba "STANDARD SHEET METAL AND MARINE PLUMBING," Appellant VS. DEPT. PUBLIC WORKS, Resp. CITY PLANNING DISAPPROVAL

Denial on September 29, 1982, of permit to alter a building at 135 South Park (APPLICATION NO. 8205152).

Sidney Shaw of the City Planning Department explained the reason for the department's objections to this permit. Mr. Donald F. Atkinson, Architect for the project, spoke on behalf of the appellant. After the Board discussed the pros and cons between themselves, they voted 4 - 0 to concur with the department.

APPEAL NO. 82-223

PATRICK YU, Appellant vs. DEPT. PUBLIC WORKS, Resp.

Protesting issuance on September 29, 1982, to Chuck Wong, permit to alter a building at 622 - 23rd Avenue (APPLICATION NO. 8204340).

The appellant, Patrick Yu, explained his objections to the permit to extend the building, and the permit holder represented himself. Don Lim represented the Department of Public Works. Following a short discussion, the Board voted 4 - 0 to concur with the department.

APPEAL NO. V82-217

JENEAL ANN GRANIERI, Appellant vs. ZONING ADMINISTRATOR, Resp.

Denial on September 22, 1982, of request for Rear Yard and Off-Street Parking variance at 1749 - Ninth Avenue.

Sidney Shaw explained the Zoning Administrator's objections to the proposed variance. Several neighbors spoke in support of the department. Mr. and Mrs. Granieri described their plans for the back cottage on their property, the subject of the requested variance. The Board then decided to hold a site inspection at this location on October 26, 1982 at 5:30 p.m. This matter will be continued to the meeting of October 27, 1982.

As there was no further business, the meeting was adjourned at 9:40 p.m.

DATE: October 20, 1982

LOUIS J. GIRAUDO, President

Claire C. Pilcher

CLAIRE C. PILCHER, Executive Director

DOCUMENTS DEPT.
NOV 23 1982
SAN FRANCISCO
PUBLIC LIBRARY

MINUTES
MEETING OF THE BOARD OF PERMIT APPEALS
WEDNESDAY, OCTOBER 27, 1982

The regular meeting of the Board of Permit Appeals was called to order at 5:20 p.m. by President Louis J. Giraudo.

Present were: Louis J. Giraudo, President
Agripino R. Cerbatos, Vice President
Mattie J. Jackson, Commissioner
Richard J. Guggenhime, Commissioner

Also present were: Don Lim for the Department of Public Works; Sidney Shaw for the Department of City Planning/Zoning Administrator; Lawrence Wilson, Esq. and Officer Farrell Suslow representing the Police Department; Alice Barkley, Deputy City Attorney; Claire C. Pilcher, Executive Director, and Doris Levine, official hearing reporter. Commissioner Engmann was absent.

The following was a request for rehearing:

APPEAL NO. V82-192

STEVEN D. ZAKULA, Appellant vs. ZONING ADMINISTRATOR, Respondent

Denial on August 31, 1982 of Off-Street Parking variance sought for 1330 Francisco Street.

This request for rehearing was granted and will be calendared for the meeting of November 16 or 17.

The following matters were then heard:

APPEAL NO. 82-207

RICHARD J. WALL, dba 100 BROADWAY ASSOCIATES, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Denial on September 29, 1982, of permit to alter a building at 100 - 120 Broadway (APPLICATION NO. 8204668).

The Department of Public Works was represented by Don Lim. This appeal was regarding the seismic requirements involved when making this a three-story building. The Board had attended a site inspection on this property and was now ready to vote, inasmuch as the facts had been presented to the Board October 20. The vote was 3 - 1 to overrule the department with Vice President Cerbatos voting to concur with the department. As four votes are necessary to overrule the department, the department was upheld.

APPEAL NO. 82-236

GOLDEN GATE VALLEY NEIGHBORHOOD ASSOCIATION, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Protesting issuance of permit on October 12, 1982, to Seamus McGee to erect a structure at 1648 Union Street (APPLICATION NO. 8109118S).

(Also, see demolition permit Appeal No. 82-175.) This appeal protested the issuance of a building permit for 1648 Union Street. The appellants were represented by N. Joseph Prato, Esq. Drawings and charts were presented to the Board to show how the neighborhood would be impacted by this building. Mary Hanni, Architect for the permit holder, explained the project to the Board, including compromises made to mitigate the impact. Following some further discussion, the Board voted 3 - 1 to concur with the department. President Giraudo voted to overrule the department.

APPEAL NO. V82-217

JENEAL ANN GRANIERI, Appellant vs. ZONING ADMINISTRATOR, Respondent

Rear Yard and Off-Street Parking variance sought:

The Board had visited the property at a site inspection on Tuesday, October 26, and had heard the facts of the appeal at its previous meeting regarding the desire of the appellant to move the rear cottage to within fifteen feet of the back fence. After further discussion, the Board was prepared to vote on the issues. The Board voted 4 - 0 to concur with the department, as the five conditions of the variance had not been met.

APPEAL NO. 82-189

CRUZ LUNA, et al, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Protesting the issuance on August 24, 1982, of permit to 1000 Montgomery Association to alter a building at 1000 Montgomery Street. (APPLICATION NO. 8103556).

The appellants were represented by Lawrence Yee, Esq., and Thomas LaLanne, Esq. spoke for the 1000 Montgomery Association. Alice Barkley, Deputy City Attorney, stated that in the opinion of the City Attorney's Office, the Board could hear this matter with a four-member Board, and they were not obligated to have a five-member Board as requested by Mr. Yee. Sidney Shaw represented the Department of City Planning. Following lengthy testimony, the Board voted 2 - 2, with President Giraudo and Commissioner Guggenhime voting to concur with the department and Commissioners Cerbatos and Jackson voting to overrule. As the four votes necessary to overrule the department were not obtained, the Planning Commissioner's approval of the permit was upheld, with additional conditions and stipulations added by the Board.

APPEAL NO. 82-199

JOHN L. PASINI, Appellant vs. DEPT. PUBLIC WORKS, Respondent
FIRE DEPARTMENT DISAPPROVAL

Denial on September 10, 1982, of permit to alter a building at 136 Beulah Street. (APPLICATION NO. 8205861).

Don Lim represented both departments and explained that he had requested a rehearing on this matter as the former stipulations of the Board had not been satisfactory. The Board then voted 4 - 0 to overrule the department with the following amended stipulation, agreed to by Mr. Lim: (1) One-hour separation

between the rooms on the ground floor and the upper units; (2) All rooms of the ground floor unit will have one-hour construction; and (3) The entire ground floor area will be sprinklered.

APPEAL NO. 82-234

DAVID KENNEALLY, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Requesting refund of penalty imposed on October 15, 1982, for work done at 1405-07 - 40th Avenue.

Don Lim represented the Department of Public Works, and the appellant spoke for himself. Following a short discussion, the Board voted 4 - 0 to overrule the department with the stipulation that the amount owed the department be reduced to a total of $118.00.

APPEAL NO. 82-231

THOMAS S. WEBB, dba "S.R. ALLIED BUILDERS CONSTRUCTION, INC.," Appellant vs. DEPT. PUBLIC. WORKS, Respondent

Requesting refund of penalty imposed on October 13, 1982, for work done at 1735 Noriega Street (APPLICATION NO. 8208048).

The Department of Public Works was represented by Don Lim, and Thomas Webb spoke on his own behalf. After a short discussion, the Board voted 4 - 0 to overrule the department, and to reduce the amount due the department to two times the permit fee of $74.80, for a total due of $149.60.

APPEAL NO. 82-232

ROBERT McDONALD, Appellant vs. DEPT. PUBLIC WORKS, Respondent
CITY PLANNING DISAPPROVAL

Denial on October 5, 1982, of permit to alter a building at 1150 Monterey Blvd. (APPLICATION NO. 8200253).

Sidney Shaw represented the Deparment of City Planning. The appellant spoke on his own behalf and explained the presence of the second stove in the basement and his use of the basement as a place to cook for and entertain his friends. Following this discussion, the Board voted 4 - 0 to overrule the department and to have a notice of special restriction recorded in accordance with the regulations of the City Planning Department, limiting the use of the property to one unit.

APPEAL NO. 82-237

GEORGE H. TAYLOR, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Protesting issuance on October 8, 1982, of permit to Robert Gregory to alter a building at 30 Kronquist Court (APPLICATION NO. 8207206).

Ms. Theda A. Taylor, wife of the appellant, described the building extension contemplated by the permit holder, Robert Gregory of 30 Kronquist Court, and

spoke of her concerns if this project were continued. The permit holder, Robert Gregory, represented himself and spoke of his reasons for requesting the permit. Following further discussion, the Board voted 4 - 0 to concur with the department.

APPEAL NO. V82-224

JAMES SMITH, Appellant vs. ZONING ADMINISTRATOR, Respondent

Denial on September 27, 1982, of request for Off-Street Parking variance at 244 Douglass Street.

The Zoning Administrator was represented by Sidney Shaw, who stated the objections to the requested variance for a unit installed without a permit. The appellant then showed pictures and explained his requested variance to the Board. Following a discussion, the Board voted 4 - 0 to concur with the department, as the five conditions for a variance had not been met.

APPEAL NO. V82-219

FRANK O'BRIEN, Appellant vs. ZONING ADMINISTRATOR, Respondent

Denial on September 27, 1982, of request for rear yard variance at 540 - 38th Avenue.

The Zoning Administrator was represented by Sidney Shaw, who stated the reasons for the department's denial of this variance. Several neighbors also stated their objections to this back yard addition. After further discussion, the Board voted 4 - 0 to concur with the department, finding that the five conditions for a variance had not been met.

APPEAL NO. 82-228

THOMAS ONG, Appellant vs. DEPT. PUBLIC WORKS, Respondent
FIRE DEPARTMENT DISAPPROVAL

Denial on October 12, 1982, of permit to alter a building at 1849 Larkin Street (APPLICATION NO. 8207488).

Don Lim represented both departments, and stated that the Fire Department had withdrawn their requirement for the wet and dry standpipes. Following further discussion, the Board voted 4 - 0 to overrule the department with the following stipulations, which were suggested by Mr. Lim, and accepted by the Board: (1) The Fire Department shall agree to withdraw its requirement for wet and dry standpipes; (2) ground floor is to have one-hour construction and to be sprinklered throughout; and (3) The heat and smoke detection system will be connected to exterior alarm system.

APPEAL NO. 82-229

LOUIS BONFIGLIO, dba "TRI DEVELOPMENT COMPANY," Appellant vs. DEPT. PUBLIC WORKS, Respondent

Denial on October 4, 1982, of permit to alter a building at 550 - 15th Street. (APPLICATION NO. 8201338).

The Department of Public Works was represented by Don Lim. The following people spoke on behalf of the appellant: Mr. Harvey O. Rich, Mr. Robert Huston, Mr. C. Vincent de Nevers, and the appellant, Mr. Louis Bonfiglio. Following Mr. Huston's statement that this matter had been heard by the Board of Examiners, the Board voted 4 - 0 to overrule the department with the finding that as the Board of Examiners had heard this matter, the Department of Public Works erred in having it brought before the Board of Permit Appeals.

The following appeals were revocations of permits by the Police Department. The department was represented by Lawrence Wilson, Esq. of the Police Legal Division. These appeals were all overruled by the Board (4 - 0) with the finding that the appellants have paid all fees owing to the Police Department, which was the sole basis for revocation in each case.

APPEAL NO. 82-212

SAMUEL E. UNGER, Appellant vs. POLICE DEPARTMENT, Respondent

Revocation on October 1, 1982, of permit to operate a taxicab. Overruled.

APPEAL NO. 82-213

MAE LAZARUS, Appellant vs. POLICE DEPARTMENT, Respondent

Revocation on October 1, 1982, of masseuse permit at 230 Post Street (Elizabeth Arden Salon). Overruled.

APPEAL NO. 82-214

GREGORY L. NIETO, Appellant vs. POLICE DEPARTMENT, Respondent

Revocation on October 1, 1982, of permit to drive a public vehicle. Overruled.

APPEAL NO. 82-215

LE MINH THI HYUNH, Appellant vs. POLICE DEPARTMENT, Respondent

Revocation on October 1, 1982, of masseuse permit at 467 O'Farrell Street. Overruled.

APPEAL NO. 82-230

THOMAS H. KIICK, Appellant vs. POLICE DEPARTMENT, Respondent

Revocation on October 1, 1982, of permit to operate a taxicab. Overruled.

APPEAL NO. 82-222

STEPHEN S. BENSEMAN, Appellant vs. POLICE DEPARTMENT, Respondent

Revocation on October 1, 1982, of permit to operate a taxicab. Overruled.

APPEAL NO. 82-225

DONALD B. MALCOLM, Appellant vs. POLICE DEPARTMENT, Respondent

Revocation on October 1, 1982, of permit to operate a taxicab. Overruled.

APPEAL NO. 82-221

GERHARD H. MYSKIW, Appellant vs. POLICE DEPARTMENT, Respondent

Revocation on October 1, 1982, of permit to operate a taxicab. Overruled.

APPEAL NO. 82-220

RICHARD A. RIBULLA, Appellant vs. POLICE DEPARTMENT, Respondent

Revocation on October 1, 1982, of permit to operate a taxicab. Overruled.

The following appeal from the Police Department action was not a revocation of permit:

APPEAL NO. 82-233

MARCUS ABRAHAM, Appellant vs. POLICE DEPARTMENT, Respondent

Denial on October 4, 1982, of permit to operate a taxicab.

Lawrence Wilson, Esq. and Officer Farrell Suslow represented the Police Department. They explained the alleged falsifications on the application for a permit which caused the department to deny the permit. The appellant was represented by Michael Sims, Esq., who explained the reasons for the discrepancies. Following further discussion, the Board voted 4 - 0 to overrule the department with the stipulation that the appellant fill out an accurate application for the Police Department.

As there was no further business to bring before the Board, President Giraudo adjourned the meeting at 11:00 p.m.

SPECIAL MEETINGS OF THE BOARD OF PERMIT APPEALS-SITE INSPECTIONS

APPEAL NO. 82-207

RICHARD J. WALL, dba "100 BROADWAY ASSOCIATES," Appellant vs. DEPT. PUBLIC WORKS, Respondent

Denial on September 29, 1982, of permit to alter a building at 100 Broadway (APPLICATION NO. 8204668).

A site inspection was held at this location on Tuesday, October 26, 1982, at 8:00 a.m. All the Commissioners were present. The site inspection was also attended by the appellants.

APPEAL NO. V82-217

JENEAL ANN GRANIERI, Appellant vs. ZONING ADMINISTRATOR, Respondent

Denial on September 22, 1982, of request for rear yard and off-street parking variance at 1749 Ninth Avenue.

A site inspection was held at this location on Tuesday, October 26, 1982, at 5:30 p.m. All the Commissioners were present, as well as the appellant and interested neighbors.

DATE: October 27, 1982

Louis J. Giraudo, President

Claire C. Pilcher

Claire C. Pilcher, Executive Director

BOARD OF PERMIT APPEALS
CITY HALL
SAN FRANCISCO, CA 94102

City Librarian

DOCUMENTS DEPT.

DEC 10 1982

SAN FRANCISCO
PUBLIC LIBRARY

MINUTES
MEETING OF THE BOARD OF PERMIT APPEALS
TUESDAY, NOVEMBER 16, 1982

The meeting of the Board of Permit Appeals was called to order at 5:40 p.m. by President Louis J. Giraudo.

Present were: Louis J. Giraudo, President
Agripino R. Cerbatos, Vice President
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann

Commissioner Richard J. Guggenhime arrived in time to hear and vote on Item No. 8, Appeal No. 82-238 and subsequent appeals.

Also present were: Lawrence Wilson, Esq. and Officers Barbara Campagnoli, Joseph Hession, K. L. Baster, Terrence Collins, and Sgt. Mario Busalacchi representing the Police Department; Paula Jesson, Deputy City Attorney; Sidney Shaw for the Department of City Planning/Zoning Administrator; Claire C. Pilcher, Executive Director, and Doris Levine, the official hearing reporter.

Executive Director Claire C. Pilcher asked the Board to accept the change in rules of the Board as announced at the meeting of October 20, 1982, and properly noticed. Amendment to Article 1, Section 5:

> "In no event shall there be more than one rehearing after the Board has voted on an appeal. No requests for rehearing shall be accepted after the Board has either considered and rejected a request for rehearing or has voted to rehear a matter and has so reheard and voted."

The Board agreed by a vote of 4 - 0 to accept this change in the rules of the Board.

The Board voted 4 - 0 to accept jurisdiction beyond the ten-day period for the following appeals.

> Mr. Isa N. Musleh: Denial on October 18, 1982, of permit for mechanical amusement devices at Serv-U Market at 2750 Twenty-First Street.
>
> Ms. Sue Hestor, San Franciscans for Reasonable Growth: Protesting issuance of excavation permit to Bank of Canton (APPLICATION NO. 8208137). The appeal was later withdrawn at the meeting.
>
> Request from Maye Tom, dated November 16, 1982, regarding property at 1874 Eighth Avenue. Plumbing Charge No. 25497.

The following requests that the Board take jurisdiction beyond the ten-day period were not granted, as Vice President Cerbatos voted not to take jurisdiction on either of the following. Therefore, the vote of 3 - 1 was insufficient to take jurisdiction as four votes are needed.

> George Field Real Estate, Plumbing Charge No. 25433, dated October 4, 1982, regarding property at 1340 Forty-Second Avenue.
>
> Request from Thomas M. O'Connor of Cable Car Plumbing dated November 15, 1982, regarding Plumbing Charge No. 25383.

The following request for rehearing was granted, and will be calendared for rehearing for the meeting of December 1, 1982. The vote was 4 - 0.

APPEAL NO. 82-229

LOUIS BONFIGLIO, dba "TRI DEVELOPMENT COMPANY," Appellant vs. DEPT. PUBLIC WORKS, Respondent

Denial on October 4, 1982, of permit to alter a building at 550 Fifteenth Street. (APPLICATION NO. 8201338)

The following request for rehearing was not granted due to no motion from the Board.

APPEAL NO. 82-V224

JAMES SMITH, Appellant vs. ZONING ADMINISTRATOR, Respondent

Denial on September 27, 1982, of request for Off-Street Parking Variance at 244 Douglass Street.

The following appeals were routine revocations of permits by the Police Department. The department was represented by Lawrence Wilson, Esq. of the Police Legal Division. These appeals were overruled by the Board (4-0) with the finding that the appellants have paid all fees owing to the Police Department, which was the sole basis for the revocations. The Police Department concurred in the disposition of these appeals.

APPEAL NO. 82-227

MADELINE BERMUDEZ, Appellant vs. POLICE DEPARTMENT, Respondent

Revocation on October 1, 1982, of masseuse permit at Number One Colin Place. Overruled.

APPEAL NO. 82-226

CANH THI NGUYEN, Appellant vs. POLICE DEPARTMENT, Respondent

Revocation on October 1, 1982, of masseuse permit at 712 Polk Street. Overruled.

The following appeals from the Police Department were then heard:

APPEAL NO. 82-244

CHERYL L. CHARNEY, Appellant vs. POLICE DEPARTMENT, Respondent
HEALTH DEPARTMENT DISAPPROVAL

Denial on October 25, 1982, of permit for pushcart peddler near 425 Market Street.

The Police Department was represented by Lawrence Wilson, Esq. The appellant was represented by her attorney, John Gulick, Esq. Lawrence Wilson, Esq. stated the reasons for the denial and Bernard Averbuch, President of the Market Street Merchants Association, spoke in support of the department. Following further discussion, the Board voted 4 - 0 to concur with the department.

APPEAL NO. 82-248

ABDULLAH RASHID, dba "RUBIN MARKET," Appellant vs. POLICE DEPARTMENT, Respondent
CITY PLANNING DISAPPROVAL

Denial on October 25, 1982, of permit for mechanical amusement devices at 2997 Folsom Street.

The Police Department was represented by Lawrence Wilson, Esq. The appellant spoke on his own behalf. Following a short discussion, the board voted 4 - 0 to concur with the department.

APPEAL NO. 82-243

CHARLES E. STUBER, dba "FIZZEE'S BAR AND GRILL," Appellant vs. POLICE DEPARRMENT, Respondent
CITY PLANNING DISAPPROVAL

Denial on October 25, 1982, of permit for additional mechanical amusement devices at 3954 Geary Boulevard.

Lawrence Wilson, Esq., represented the Police Department and stated that this location already has 14 video machines, which classifies it as an arcade. The

APPEAL NO. 82-243 (Continued)

appellant represented himself. The addition of two machines cannot be allowed under the new ordinance. After a lengthy discussion, the Board voted 4 - 0 to uphold the department.

APPEAL NO. 82-240

GEORGE Y. TOTAH, Appellant vs. POLICE DEPARTMENT, Respondent
CITY PLANNING DISAPPROVAL

Denial on October 18, 1982, of permit for mechanical amusement devices at 1460 - 48th Avenue.

Lawrence Wilson, Esq. spoke for the department and the appellant represented himself. Following a lengthy discussion, the Board voted 4 - 0 to overrule the department with the following stipulations: (1) that the permit be issued for two machines only; and (2) that the permit expire in one year on November 30, 1983. The Board also found that the appellant detrimentally relied on information supplied by the Police Department, and this one-year permit would allow the appellant to recover the money already expended.

APPEAL NO. 82-249

RUDOLPH A. HOFFMAN, dba "JOHN'S ITALIAN RESTAURANT," Appellant vs. POLICE DEPARTMENT, Respondent
CITY PLANNING DISAPPROVAL

Denial on October 25, 1982, of permit for dance hall keeper and place of entertainment at 1814 Clement Street.

Lawrence Wilson, Esq. represented the Police Department, and Sidney Shaw, speaking for the City Planning Department, stated that this area was rezoned to C-1 in 1960. Mr. Max Lipkin spoke for the appellant. The Board then discussed this matter, finding that granting the permit would be tantamount to rezoning to C-2, which they are not able to do. Therefore, they voted 4 - 0 to concur with the department.

APPEAL NO. 82-238

(Commissioner Guggenhime arrived in time to hear and vote on this appeal and subsequent matters)

BASEM S. KANDAH, dba "SHARON MARKET," Appellant vs. POLICE DEPARTMENT, Respondent
CITY PLANNING DISAPPROVAL

Denial on October 18, 1982, of permit for mechanical amusement devices at 709 Valencia Street.

Lawrence Wilson, Esq. represented the Police Department, and the appellant represented himself. The Board's finding that the new ordinance would allow mechanical amusement devices in this building, led them to vote 5 - 0 to overrule the department with the following stipulations: (1) that two machines will be allowed, and (2) that the appellant will meet the requirements of the ordinance.

APPEAL NO. 82-245

HANNA T. FREIJ, Appellant vs. POLICE DEPARTMENT, Respondent
CITY PLANNING DISAPPROVAL

Denial on October 28, 1982, of permit for mechanical amusement devices at 601 Brunswick Street.

Lawrence Wilson, Esq. represented the Police Department, and Sidney Shaw represented the City Planning Department. Mr. Shaw stated that this was an RH-1 district, therefore mechanical amusement devices could not be allowed. The Board then voted 5 - 0 to concur with the department.

APPEAL NO. 82-241

JAMIL M. ABU-HAMDEH, Appellant vs. POLICE DEPARTMENT, Respondent
CITY PLANNING DISAPPROVAL

Denial on October 18, 1982, of permit for mechanical amusement devices at 1701 Ninth Avenue.

Lawrence Wilson, Esq. represented the Police Department, and Sidney Shaw represented the Department of City Planning. The appellant represented himself. Following some further discussion, the Board voted 5 - 0 to concur with the department with the finding that the appellant could request a rehearing if he could produce bills for the costs already incurred in reliance on Police Department information.

APPEAL NO. 9084

PATRICIA FRANK, dba "EROTIC THEATER," Appellant vs. POLICE DEPARTMENT, Respondent

Revocation on November 4, 1982, of permit to operate an adult theater at 312 Columbus Avenue. This matter is a remand from Superior Court.

Lawrence Wilson, Esq. represented the Police Department. The appellant was represented by Alan Moss, Esq. and Jeffrey A. Hass, Esq. Paula Jesson, Deputy City Attorney, stated that conditions could be imposed by the Board. The attorneys for the appellant requested that Appeal No. 7819, decision dated April 20, 1977, and Appeal No. 8992, decision dated September 10, 1980, be made a part of the record. President Giraudo stated that the files were in evidence, and he would take judicial notice of these existing files. Sgt. Mario Busalacchi testified on behalf of the Police Department with regard to the back rooms of the Erotic Theater being used as encounter studios without a permit. Following lengthy discussion, the Board decided to continue this matter. The date of further hearing will be decided, and the parties notified.

As there was no further business to present to the Board, the meeting was adjourned at 9:30 p.m.

DATE: November 16, 1982.

Louis J. Giraudo, President

Claire C. Pilcher, Executive Director

DOCUMENTS DEPT.

DEC 10 1982

SAN FRANCISCO PUBLIC LIBRARY

MINUTES

MEETING OF THE BOARD OF PERMIT APPEALS

WEDNESDAY, NOVEMBER 17, 1982

The meeting of the Board of Permit Appeals was called to order at 5:45 p.m. by President Louis J. Giraudo.

Present were: President Louis J. Giraudo
Vice-President Agripino R. Cerbatos
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann

Commissioner Richard J. Guggenhime was absent due to illness.

Also present were: Don Lim for the Department of Public Works; Sidney Shaw for the Department of City Planning/Zoning Administrator; Paula Jesson, Deputy City Attorney; Claire C. Pilcher, Executive Director, and Official Hearing Reporter Doris Levine.

The Board voted unanimously not to accept jurisdiction beyond the ten-day period in the matter of Mr. Henry Hurd of 249 Randall Street, Application No. 8203535. The Board decided to set the date for the further hearing of the matter of Patricia Frank, dba "Erotic Theater," at 312 Columbus Avenue, at a special meeting of the Board on November 29, 1982. This is a Remand from Superior Court (Appeal No. 9084).

APPEAL NO. 82-245

JOSEPH SOLTANOWICH, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Imposition of penalty on October 29, 1982, for work done at 1724 Haight Street (PLUMBING CHARGE NOTICE #189956).

Don Lim represented the Department of Public Works. The appellant spoke on his own behalf. Following a short discussion, the Board voted 4 - 0 to reduce the penalty to two times the permit fee of $17.00, for a total due the department of $34.00.

APPEAL NO. 82-247

JAMES GENE OSTER, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Imposition of penalty on October 29, 1982, for work done at 198 Juanita Way (PLUMBING CHARGE NOTICE NO. 25385).

Don Lim represented the Department of Public Works and the appellant represented himself. After a short discussion, the Board voted 4 - 0 to reduce the penalty to a total amount due the department of $55.00.

APPEAL NO. V82-192

STEVEN D. ZAKULA, Appellant vs. ZONING ADMINISTRATOR, Respondent

Denial on August 31, 1982 of request for Off-Street Parking Variance at 1330 Francisco Street.

Sidney Shaw represented the Zoning Administrator, and explained the department's refusal of the requested variance as no parking was included in the request. The appellant was represented by his attorney, Theodore Bayer, Esq. Mr. Bayer

showed the Board a 40-year lease to provide parking within 600 feet of the proposed unit. The Board then continued this appeal until the meeting of December 1, 1982, to give Mr. Shaw the time to check on the legality of this parking space.

APPEAL NO. 82-235

NICK KOLIATSIS, Appellant vs. DEPT PUBLIC WORKS, Respondent
CITY PLANNING DISAPPROVAL

Denial on October 14, 1982, of permit to alter a building at 2550 Noriega Street (APPLICATION NO. 8205934).

The City Planning Department was represented by Sidney Shaw. The appellant was represented by his attorney, William J. Gedeon, Esq. Mr. Shaw explained that the appellant wished to sell fruits and vegetables at this location which formerly had been a service station. At this time, he only had a canopy over the produce, and the code requires an enclosed area. Following a lengthy discussion, the Board voted 4 - 0 to concur with the department.

APPEAL NO. 82-239

SUSAN FITZSIMMIONS, Appellant vs. DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

Protesting issuance on October 15, 1982, of permit to Tony Woo, to alter a building at 150 Mallorca Way (APPLICATION NO. 8201866).

Mr. Lim speaking for the Department of Public Works, and Mr. Shaw representing the Department of City Planning, stated that this permit had been issued in error. The permit holder, Tony Woo, was represented by his architect Bill Werner. The Board decided to continue this matter for four weeks (to the meeting of December 22, 1982) to give the permit holder time to have new plans approved by the Department of Public Works.

APPEAL NO. 82-204

SAN FRANCISCANS FOR REASONABLE GROWTH, Appellant vs. DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

Protesting issuance on September 15, 1982, of permit to Bank of Canton to erect a building at 555 Montgomery Street (APPLICATION NO. 8106361S).

Ms. Sue Hestor, attorney for the appellants, requested a continuance of this matter to the meeting of December 1, 1982. The Board granted her request. She also withdrew her appeal regarding 608 Commercial Street. The Board agreed to continue this appeal as requested by Ms. Hestor.

As there were no other matters to bring before the Board, the meeting was adjourned by President Giraudo at 7:30 p.m.

DATE: November 17, 1982

Louis J. Giarudo, President

Claire C. Pilcher

Claire C. Pilcher, Executive Director

DOCUMENTS DEPT.
DEC 10 1982
SAN FRANCISCO
PUBLIC LIBRARY

MINUTES

SPECIAL MEETING OF THE BOARD OF PERMIT APPEALS

MONDAY, NOVEMBER 29, 1982

A special meeting of the Board of Permit Appeals, duly noticed, was called to order at 5:15 p.m.

Present were: President Louis J. Giraudo
Vice President Agripino R. Cerbatos
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Richard J. Guggenhime

Also present were Lawrence Wilson, Esq. and Officers Alan Sonoda and Mario Busalacchi from the Police Department; Paula Jesson, Deputy City Attorney; Doris Levine, Official Hearing Reporter, and Claire C. Pilcher, Executive Director; and attorneys Alan Moss and Jeffrey Hass on behalf of the appellant.

The only matter to be heard by the Board this evening was:

APPEAL NO. 9084

PATRICIA FRANK, dba "EROTIC THEATER," Appellant vs. SAN FRANCISCO POLICE DEPARTMENT, Respondent

Revocation on November 4, 1982, of permit to operate an adult theater at 312 Columbus Avenue. Remand from Superior Court.

Mr. Wilson, on behalf of the Police Department, and Jeffrey Haas, speaking for the appellant, indicated that the parties had reached an agreement in principal, attaching numerous stipulations to the permit, imposing a 30-day suspension which will be deemed served and completed during the 1982 closure of the Erotic Theater.

Mr. Wilson summarized the proposed agreement reached by the parties, which included, among others, stipulations that there be no private showings, no entertainment in the small rooms, and describing certain mechanical features to be used in the booths with regard to coin operation, time controls, and separation. In addition, the basic layout of the theater is not to be changed without notifying the Police Department; a sign detailing rules and regulations is to be posted, and an amended application will be submitted in accordance with agreements of the parties. Mr. Haas acknowledged his assent to these stipulations, and indicated that they would seek their client's approval so that the completed document may be presented to the Board on Wednesday, December 1, 1982, for approval and vote. Paula Jesson indicated that the action in Superior Court will then be dismissed. President Giraudo stressed that he wanted to be sure that an agreement had been reached, which will be voted upon at the regular meeting of the Board on Wednesday, December 1, 1982.

There being no further business to be brought before the Board, this special meeting was adjourned at 5:45 p.m. by President Louis Giraudo.

DATE: November 29, 1982

Louis J. Giraudo, President

Claire C. Pilcher, Executive Director

BOARD OF PERMIT APPEALS
CITY HALL
SAN FRANCISCO, CA 94102

City Librarian

DOCUMENTS DEPT.
DEC 14 1982
SAN FRANCISCO
PUBLIC LIBRARY

MINUTES

MEETING OF THE BOARD OF PERMIT APPEALS

WEDNESDAY, DECEMBER 1, 1982

5:00 P.M., ROOM 282, CITY HALL

The regular meeting of the Board of Permit Appeals was called to order at 5:10 p.m. by President Louis J. Giraudo. Commissioner Jackson had not arrived so the Board began hearing the requests for rehearing with four members. She arrived before the hearing of the regular calendar.

Present were: President Louis J. Giraudo
Vice President Agripino R. Cerbatos
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Richard J. Guggenhime

Also present were: Paula Jesson and Alice Barkley, Deputy City Attorneys; Mr. Don Lim and Mr. Ray Fong, representing the Department of Public Works; Mr. Dan Sullivan for the Department of City Planning/Zoning Administrator; Lawrence Wilson, Esq. and Officer Joseph Hession for the Police Department.

The following request for rehearing was granted by a vote of 4 - 0 (Commissioner Jackson had not arrived), and was calendared for the meeting of December 8, 1982.

APPEAL NO. 82-243

CHARLES E. STUBER, dba "FIZZEE'S BAR AND GRILL," Appellant vs. POLICE DEPARTMENT, Respondent
CITY PLANNING DISAPPROVAL

Denial on October 25, 1982, of permit for additional mechanical amusement devices at 3954 Geary Boulevard.

The following request for rehearing was not granted, there being no motion from the Board:

APPEAL NO. 82-244

CHERYL L. CHARNEY, Appellant vs. POLICE DEPARTMENT, Respondent
HEALTH DEPARTMENT DISAPPROVAL

Denial on October 25, 1982, of permit for pushcart peddler near 425 Market Street.

The following requests that the Board take jurisdiction beyond the ten-day period were denied, as there was no motion from the Board to hear these matters:

Ray W. Sherman, Jr., Esq. Building Permit Application No. 8202676, regarding property at 3874 - 24th Street (Special Use District). City Planning disapproval.

APPEAL NO. 82-241

JAMIL M. ABU-HAMDEH, Appellant vs. POLICE DEPARTMENT, Respondent
CITY PLANNING DISAPPROVAL

Denial on October 18, 1982, of permit for mechanical amusement devices at 1701 Ninth Avenue (Ninth and Moraga Market).

The following matter was not on the regular calendar, but was heard at a Special Meeting held November 29, 1982, and continued for further hearing at this meeting.

APPEAL NO. 9084

PATRICIA FRANK, dba "EROTIC THEATER," Appellant vs. POLICE DEPARTMENT, Respondent

Revocation on November 4, 1982, of permit to operate an adult theater at 312 Columbus Avenue.

The agreement reached by Lawrence Wilson, Esq., for the Police Department, and the attorneys for the appellant, Alan Moss, Esq. and Jeffrey A. Haas, Esq., was submitted to the Board with the added stipulation that the structural changes would be completed by February 23, 1983, as agreed to, or reasons given to the Police Department for not meeting this date. The Board then voted unanimously to adopt the agreement, to set aside its previous decision, and to issue its decision ordering the permit granted. The Superior Court action will be dismissed.

The first appeal on the regular calendar was then heard.

APPEAL NO. 82-251

CARL F. KINCZEL, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Imposition of penalty on November 9, 1982, for work done at 1171 Sansome Street.

Don Lim spoke for the department and explained that the appellant did not pick up the permit when it was issued. The appellant represented himself, and stated that there had been a mix-up with his staff, each thinking someone else had picked up the permit. The Board then voted 5 - 0 to overrule the department, and to reduce the penalty to two times the permit fee of $69.80, for a total due the department of $139.60.

APPEAL NO. 82-252

FRANK RAVETTI, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Imposition of penalty on November 9, 1982, for work done at 1471-15th Street. (Plumbing Charge Notice No. 24498)

Mr. Lim represented the department. Mr. Ravetti, the appellant, stated that the toilet had been installed before he had acquired the building. Following a short discussion, the Board voted 5 - 0 to overrule the department and to reduce the penalty to two times the permit fee of $7.75, for a total due the department of $15.50.

APPEAL NO. 82-258

MAYE TOM, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Imposition of penalty on October 21, 1982, for work done at 1874-48th Avenue. (Plumbing Charge Notice No. 25497)

Mr. Don Lim represented the department. Ms. Tom explained that this property was part of a divorce settlement, and the work had been done previous to her gaining possession. After the Board discussed the matter, they voted 5 - 0 to overrule the department and to reduce the penalty to two times the permit fee of $71.30, for a total due the department of $142.60.

APPEAL NO. 82-229

LOUIS BONFIGLIO, dba "TRI DEVELOPMENT COMPANY," Appellant vs. DEPT. PUBLIC WORKS, Respondent

Denial on October 4, 1982, of permit to alter a building at 550 - 15th Street. (APPLICATION NO. 8201338)

APPEAL NO. 82-229 (Continued)

Don Lim, for the Department of Public Works, introduced Mr. Ray Fong, who then represented the department. Mr. Fong stated that the Board of Examiners only ruled on the rate of occupancy, and therefore this matter was properly before the Board. Louis Bonfiglio represented himself. Mr. Vincent de Nevers also spoke on behalf of the appellant. Mr. Fong, speaking for the department, stated that the most stringent use requirement of the code applying to any portion of the building is the requirement for the entire building. Mr. Bonfiglio mentioned that he, the appellant, is still conferring with the department on the interpretation of the code, and the Board then agreed to continue this matter to the meeting of December 22, 1982, to give the parties more time to arrive at a compromise.

APPEAL NO. V82-192

STEVEN D. ZAKULA, Appellant vs. ZONING ADMINISTRATOR, Respondent

Denial on August 31, 1982, of request for Off-Street Parking Variance at 1330 Francisco Street.

This appeal was continued from the meeting of November 24, 1982, to enable Sidney Shaw, for the Zoning Administrator, to check the lease for a parking space within the approved distance, as submitted by the appellant. Theodore Bayer, Esq., represented the appellant, and Dan Sullivan, in Mr. Shaw's absence, spoke for the department. Mr. Shaw had checked the facility and had found that it was a building with 18 parking spaces for 21 apartments; therefore, it did not meet the requirements of the code. The Board then voted unanimously to concur with the department.

APPEAL NO. 82-242

TERRENCE L. MICKELS, dba "DUKE BOYS," Appellant vs. POLICE DEPARTMENT, Respondent
CITY PLANNING DISAPPROVAL

Denial on October 25, 1982, of permit for mechanical amusement devices at 1338 Ocean Avenue.

Lawrence Wilson, Esq., speaking for the Department, stated that as these machines were not an accessory use, but are a principal use of the business. Therefore, the use violates the new ordinance. The appellant was represented by his attorney, Herbert Gemple, Esq. The President of the Ocean Avenue Merchants Association spoke on behalf of the appellant. Following some further discussion, the Board voted 4 - 1 to concur with the department (Commissioner Jackson voted to overrule).

APPEAL NO. 82-259

MARSHALL E. HARRIS, dba "CART BLANCHE," Appellant vs. POLICE DEPARTMENT, Respondent

Denial on November 16, 1982, of pushcart peddler's permit for south side of Market Street across from Grant Avenue.

Mr. Wilson and Officer Joseph Hession represented the Police Department. Mr. and Mrs. Harris spoke in their own behalf. Mr. Wilson stated that this was an area reserved for street artists, and so designated by the Board of Supervisors. He also stated that all of Market Street, being a tow-away zone, is classified

APPEAL NO. 82-259 (Continued)

as a red zone. The Board continued this matter to the meeting of December 22, 1982, in order to give Mr. Harris time to work with Officer Hession to find a suitable location.

APPEAL NO. 82-254

MARY CLAIRE HEFFRON, Appellant vs. DEPT. PUBLIC WORKS, Respondent
FIRE DEPARTMENT DISAPPROVAL

Denial on November 15, 1982, of permit to alter a building at 131 Belvedere Street.

The department was represented by Mr. Don Lim. Following a short discussion, the Board decided to hold a site inspection on this property on December 7, 1982, at 5:00 p.m. This appeal is continued to the meeting of December 8, 1982, for further hearing.

APPEAL NO. 82-255

ALICE NAVARRO, Appellant vs. DEPT. PUBLIC WORKS, Respondent
Protesting issuance on November 10, 1982, of permit to Mr. and Mrs. Hamlin to alter a building at 835 Dwight Street. (APPLICATION NO. 8208934)

Mrs. Navarro presented her reasons for protesting this permit. The permit holders, Mr. and Mrs. Hamlin, explained their plans, together with their contractor, Mr. Mariano M. Casals. Following a lengthy explanation and discussion, the Board voted unanimously to concur with the department with the stipulation that there will be a two-foot return on each side of the retaining wall to permit proper drainage, and the plans will be resubmitted to the Bureau of Building Inspection showing the correct position of the wall (eight feet from the rear property line).

APPEAL NO. 82-257

ROSLYN BALTIMORE, Appellant vs. DEPT. PUBLIC WORKS, Respondent
FIRE DEPARTMENT DISAPPROVAL

Denial on November 19, 1982, of permit to erect a structure at 815 Eddy Street. Mr. Don Lim represented the departments, and the appellant spoke on her own behalf. The Board was aware of the pending change in the fire zone regulations, and following a short discussion, voted 5 - 0 to overrule the department with the finding that legislation will be changed and this building will no longer be within the fire zone.

As there was no further business to bring before the Board, the meeting was adjourned at 9:05 by President Louis Giraudo.

DATE: December ~~1,~~ 1982

Louis J. Giraudo, President

Claire C. Pilcher, Executive Director

BOARD OF PERMIT APPEALS
CITY HALL
SAN FRANCISCO, CA 94102

Docs

DOCUMENTS DEPT.
JAN 3 1983
SAN FRANCISCO PUBLIC LIBRARY

MINUTES - SF

MEETING OF THE BOARD OF PERMIT APPEALS

WEDNESDAY, DECEMBER 8, 1982

5:00 P.M., ROOM 282, CITY HALL

The regular meeting of the Board of Permit Appeals was called to order at 5:15 p.m. by President Louis J. Giraudo.

Present were: President Louis J. Giraudo
Vice President Agripino R. Cerbatos
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Richard J. Guggenhime

Also present were: Don Lim representing the Department of Public Works; Robert Passmore and Sidney Shaw for the Department of City Planning and Zoning Administrator; Alice Barkley for the City Attorney's office; Lawrence Wilson, Esq., together with Officers Barbara Campagnoli and Joseph Hession for the Police Department.

There were no requests for rehearing or matters for the Board's consideration. The first appeal from the regular calendar was:

APPEAL NO. 82-268

FRANK BROUSSARD, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Imposition on November 30, 1982, of penalty for plumbing work done at 1227-25th Avenue. (Late Charge Notice No. 25479)

Mr. Don Lim represented the Department of Public Works and explained the reasons for the charges. The appellant was not present, nor was he represented. Therefore, the Board voted 5 - 0 to concur with the department.

APPEAL NO. 82-243

CHARLES E. STUBER, dba "FIZZEE'S BAR AND GRILL," Appellant vs. POLICE DEPARTMENT, Respondent
CITY PLANNING DISAPPROVAL

Denial on October 25, 1982, of permit for additional mechanical amusement devices at 3954 Geary Boulevard.

This matter was presented for rehearing, and Mr. Lawrence Wilson represented the Police Department. Officer Barbara Campagnoli testified for the department. Mr. Stuber represented himself and spoke about the confusion surrounding his request for additional mechanical amusement devices. After a lengthy discussion, the Board voted 5 - 0 to overrule the department with the following stipulations: (1) The permit will be for two additional machines only; (2) The permit will expire in one year (December 31, 1983) and will not be automatically renewable.

APPEAL NO. 82-263

ISA N. MUSLEH, dba "SERV-U-MARKET," Appellant vs. POLICE DEPARTMENT, Respondent
CITY PLANNING DISAPPROVAL

Denial on October 18, 1982, of permit for mechanical amusement devices at 2750 - 21st Street.

Lawrence Wilson, Esq. represented the Police Department. Sidney Shaw, representing the City Planning Department, stated that the zoning of this location prohibited the mechanical amusement devices. Mr. Musleh, the appellant, spoke in his own behalf. Following a short discussion, the Board voted 5 - 0 to concur with the department.

APPEAL NO. 82-254

MARY CLAIRE HEFFRON, Appellant vs. DEPT. PUBLIC WORKS, Respondent
FIRE DEPARTMENT DISAPPROVAL

Denial on November 15, 1982, of permit to alter a building at 131 Belvedere Street. (APPLICATION NO. 8207856)

A site inspection had been held on December 7, 1982, and evidence had been heard at last week's hearing. The issues of the low ceiling height of the proposed apartment, and the suitability for living quarters were discussed. Don Lim represented both departments and the appellant was represented by Mr. Richard Breen. Following some further discussion, the Board voted 5 - 0 to concur with the departments.

APPEAL NO. 82-265

KIP W. WILDE, Appellant vs. POLICE DEPARTMENT, Respondent
Protesting the issuance on November 16, 1982, to Lu Tu Quynh, of permit for massage establishment at 801 Geary Street (Singapore Hot Springs).

Lawrence Wilson, Esq. represented the department, and asked the Board to revoke this permit on the basis of this protest. President Giraudo stated that revocation was not before the Board, and that only the protest appeal would be heard at this time. The appellant spoke against the permit, and produced many petitions from senior citizen neighbors supporting his claim. The attorney for the permit holder, Ms. Terri-Palladino, spoke in defense of the massage parlor's six-month probationary permit. Following a lengthy discussion, the Board voted 3 - 2 to overrule the department with Commissioners Guggenhime and Jackson voting to concur with the department. As four votes are needed to overrule, the department was upheld and the permit was issued.

APPEAL NO. 82-264

MARY A. DeWITT, Appellant vs. DEPT. PUBLIC WORKS, Respondent
Denial on November 26, 1982, of permit to alter a building at 615 Spruce Street. (APPLICATION NO. 8208792)

The Department of Public Works was represented by Don Lim, who explained that the basis of this denial was that the upper bedroom did not meet the ceiling height limitation of 7'6", being only 6'8" in height, and did not meet the requirements for ventilation. Philip Siggins, Esq. represented the appellant and stated that the only time this room is used is for the infrequent visits of the appellant's grandchildren. Further discussion followed, and the Board voted 5 - 0 to overrule the department with the stipulation that an operable, openable skylight, 3' x 4' be installed, with the finding that this compromise will meet the intent of the code.

APPEAL NO. 82-256

STEWART M. MILLER, Appellant vs. DEPT. PUBLIC WORKS, Respondent
Denial on November 16, 1982, of permit to alter a building at 851 Ashbury Street. (APPLICATION NO. 8208627)

Mr. Don Lim represented both departments, stating that in a building which has three floors of occupancy, there must be a second means of egress from each floor. The appellant spoke for himself, stating that he would be willing to put in a SUN-GAR ladder from each floor. This was satisfactory to the departments. Therefore, the Board voted 5 - 0 to overrule the department with the stipulation that the SUN-GAR ladders be installed to provide a second means of egress from each floor.

APPEAL NO. 82-204

SAN FRANCISCANS FOR REASONABLE GROWTH, Appellant vs. DEPT. PUBLIC WORKS, Respondent CITY PLANNING APPROVAL

Protesting issuance on September 15, 1982, of permit to Bank of Canton to erect a building at 555 Montgomery Street, under Application No. 8106361S.

Mr. Robert Passmore represented the Department of City Planning. Attorney Sue Hestor represented the appellant. Zane Gresham , Esq. and Charles Farrar, Esq. of the law firm of Morrison and Foerster, represented the permit holder, the Bank of Canton. The appeal was based on the lack of planning for the additional public transportation, housing, and the impact on all City services. Alice Barkley, Deputy City Attorney, spoke in behalf of the Department of City Planning, which had approved this permit. Following a lengthy discussion, the Board first voted unanimously to adopt the findings. They then voted 4 - 1 to concur with the department with Commissioner Engmann voting to overrule the department. Therefore, the issuance of the permit was upheld. President Giraudo stated that all the commissioners had read and considered all points of the EIR.

APPEAL NO. 82-261

30 MILLER PLACE HOMEOWNERS ASSOCIATION, Appellant vs. SAN FRANCISCO ZONING ADMINISTRATOR, Respondent

Determination of the Zoning Administrator on November 16, 1982, regarding variance for off-street parking at 30 Miller Place.

Neil Eisenberg, Esq. and Tim Tosta, Esq. represented the appellants. Alice Barkley, Deputy City Attorney, represented the Zoning Administrator. Mr. J. Edward Fleishell, President of the Homeowners' Association, agreed to a continuance to the meeting of December 22, 1982, as the Board will have a site inspection on this property at 8:00 a.m. on Tuesday, December 21, 1982.

APPEAL NO. 82-262

RUSSIAN HILL NEIGHBORS, Appellant vs. DEPT. PUBLIC WORKS, Respondent CITY PLANNING APPROVAL

Protesting issuance on November 16, 1982, of permit to Hecny America to erect a building at 990 Green Street. (APPLICATION NO. 8200008S)

The appellants were represented by L. Kirk Miller, president of the associaton and several neighbors, including Marion Kolb and H. Martin Ems. The permit holder was represented by Matt Eytan, Esq. and James Babcock, architect of the firm of Sandy and Babcock, who went through the chronology of this permit and the various adjustments made by the permit holder to cooperate with the appellants in the past. Following the showing of graphs, pictures and drawings by both sides, and a lengthy discussion, the Board voted 5 - 0 to concur with the department, with the finding that the permit holder has made all feasible attempts to cooperate with the neighbors in mitigating the impact of the building.

As there was no further business to bring to the Board, the meeting was adjourned by President Louis J. Giraudo at 9:45 p.m.

SPECIAL MEETING OF THE BOARD OF PERMIT APPEALS - SITE INSPECTION

APPEAL NO. 82-254

MARY CLAIRE HEFFRON, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
FIRE DEPARTMENT DISAPPROVAL

[Denial on November 15, 1982,
[permit to alter a building
[at 131 Belvedere Street.
[APPLICATION NO. 8207856

A site inspection was held at this location on Tuesday, December 7, 1982, at 5:00 p.m. This site inspection was attended by Vice President Cerbatos, Commissioners Jackson and Engmann. Executive Director Claire C. Pilcher also attended.

DATE: December 8, 1982

Louis J. Giraudo, President

Claire C. Pilcher, Executive Director

BOARD OF PERMIT APPEALS
CITY HALL
SAN FRANCISCO, CA 94102

City Librarian

F
20
3
12/82
SF

MINUTES

MEETING OF THE BOARD OF PERMIT APPEALS
WEDNESDAY, DECEMBER 22, 1982
5:00 P.M., ROOM 282, CITY HALL

DOCUMENTS DEPT.
JAN 12 1983
SAN FRANCISCO
PUBLIC LIBRARY

The meeting of the Board of Permit Appeals was called to order by President Louis J. Giraudo at 5:15 p.m.

Present were: President Louis J. Giraudo
Vice President Agripino R. Cerbatos
Commissioner Mattie J. Jackson
Commissioner Douglas J. Engmann
Commissioner Richard J. Guggenhime

Also present were: Mr. Don Lim for the Department of Public Works; Mr. Robert Passmore and Sidney Shaw representing the Department of City Planning/Zoning Administrator; Inspector Dwayne and Officers Pecinovsky, Hession, and West of the Police Department.

The following request for rehearing was granted by a vote of 5 - 0, and will be calendared for the meeting of January 5, 1983:

APPEAL NO. 82-268

FRANK BROUSSARD, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Imposition on November 30, 1982, of plumbing charge for work done at 1227 - 25th Avenue. (LATE CHARGE NOTICE NO. 25479)

The following request for rehearing was denied by the Board, by a vote of 4 - 1 with Commissioner Engmann voting to rehear:

APPEAL NO. 82-262

RUSSIAN HILL NEIGHBORS, Appellants vs. DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

Protesting issuance on November 16, 1982, of permit to Hecny America to erect a building at 990 Green Street. (APPLICATION NO. 8200008S)

The Board voted 5 - 0 to accept jurisdiction beyond the ten-day period upon the request of Mr. James L. Heig of Petaluma, California, regarding property at 95-97 Scott Street, San Francisco.

The first matter to be heard by the Board from the regular calendar was:

APPEAL NO. 82-261

30 MILLER PLACE HOMEOWNERS ASSOCIATION, Appellant vs. ZONING ADMINISTRATOR, Respondent

Determination of the Zoning Administrator on November 16, 1982, regarding variance for off-street parking at 30 Miller Place (Cease and Desist Order).

Mr. Robert Passmore, the Acting Zoning Administrator, stated that the Zoning Administrator's position at the time of the granting of the variance in 1973 was that when needed, the seven accessible parking spaces and the six inaccessible parking spaces would be increased to meet needs of the occupants, and that the variance was in the alternative with only seven spaces being an option if more were not needed.

Neil Eisenberg, Esq. and Timothy Tosta, Esq., represented the three condominium owners who were trying to get parking spaces with their units. These attorneys presented the testimony of Spencer Steele, formerly Zoning Administrator, corroborating their evidence.

J. Edward Fleishell, Esq., President of the 30 Miller Place Homeowners Association, testified on behalf of the appellants as did attorney John Hardy. They stated that the limited space in the parking garage would make additional parking spaces an impossibility. Plans were presented showing how additional spaces could be added, and were made a part of the record.

After hearing all the testimony from both sides, the Board voted 3 - 2 to overrule the department with Vice President Cerbatos and Commissioner Jackson voting to concur. As four votes are needed to overrule, the department was upheld.

APPEAL NO. 82-229

LOUIS BONFIGLIO, dba "TRI DEVELOPMENT COMPANY," Appellants vs. DEPT. PUBLIC WORKS, Respondent

Denial on October 4, 1982, of permit to alter a building at 550 - 15th Street.

Mr. Don Lim represented the Department and Mr. Bonfiglio represented himself. Mr. Lim stated that both parties were very close to an agreement. Therefore, the Board continued this matter to the meeting of January 5, 1983.

APPEAL NO. 82-276

ISAM S. JAGHAB, dba "NEW HAMPSHIRE MARKET," Appellant vs. POLICE DEPARTMENT, Respondent
CITY PLANNING DISAPPROVAL

Denial on December 3, 1982, of permit for mechanical amusement devices at 2701 - 20th Street.

Officer Pecinovsky represented the Police Department and Sidney Shaw spoke for the Department of City Planning. Mr. Shaw explained that this location is in an RH-2 zone (two family residences only), and that the store is a non-conforming use. The new ordinance does not allow mechanical amusement devices in residential areas. The appellant represented himself, and David Curley, a representative of the Automatic Service, a supplier of the devices, stated that the original request had been made before the ordinance became law. Following a short discussion, the Board voted 5 - 0 to concur with the department.

APPEAL NO. V82-275

FAY WAH LEE, Appellant vs. ZONING ADMINISTRATOR, Respondent

Denial on November 30, 1982, of Rear Yard Variance sought for property at 496-98 Nineteenth Avenue. The appellant wished to park in the yard area.

Sidney Shaw represented the Zoning Administrator, stating that the variance had been denied as the five conditions had not been met. He felt that Mrs. Lee could use the available parking space, and have one of her tenants park on the street, if she feared walking late in the evening. Neighbors, Mr. and Mrs. Noveshen, spoke on behalf of the Zoning Administrator, urging that the variance be denied. Mr. Ed Fong, speaking for the appellant, explained her request for the variance. Following a discussion, the Board voted 5 - 0 to concur with the Zoning Administrator.

APPEAL NO. 82-269

NABIL HANANIA, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Imposition of penalty on December 6, 1982, for work done at 3000 Mission Street (APPLICATION NO. 8205296).

Mr. Don Lim for the Department of Public Works explained that although the permit for remodeling the commercial property at this address had been applied for, it was never picked up. Because the appellant was unfamiliar with the permit requirements, the Board voted 5 - 0 to overrule the department with the stipulation that the amount be reduced to two times the permit fee of $45.90, for a total due the department of $91.80.

APPEAL NO. 82-274

THOMAS F. COONROD, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Imposition of penalty on December 6, 1982, for work done at 1219 Eighth Avenue (PLUMBING CHARGE NOTICE #24561).

Mr. Don Lim spoke for the Department of Public Works, and the appellant, Thomas Coonrod, explained that he thought he had applied for all the permits necessary when he applied for a building permit. Following a short discussion, the Board voted 5 - 0 to overrule the department with the stipulation that the amount be reduced to two times the permit fee of $7.00, for a total due the department of $14.00.

APPEAL NO. 82-270

CHARLES GAINES, dba "MARTIN SOLAR-TECH," Appellant vs. DEPT. PUBLIC WORKS, Respondent

Imposition of penalty on December 7, 1982, for work done at 305 Edgehill Way (PLUMBING CHARGE NOTICE NO. 24501).

Mr. Don Lim represented the Department of Public Works. The appellant, Mr. Gaines, stated that he was unfamiliar with the permit requirements for installing solar panels in San Francisco. After some further discussion, the Board voted

5 - 0 to overrule the department with the stipulation that the fee be reduced to two times the permit fee of $65.10, for a total due the department of $130.20.

APPEAL NO. 82-278

GARY GAUTHIER, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Denial on December 13, 1982, of permit to alter a building at 330 Burrows Street (APPLICATION NO. 8210164).

Mr. Don Lim represented the Department of Public Works, and stated that the lot line windows must be protected by the standard recorded agreement with the next door neighbor. Mr. Gauthier, the appellant, produced a statement from his next door neighbor at 324 Burrows Street, Mr. Marco Bianchi. The Board then voted 5 - 0 to overrule the department with the stipulation that the consent be in the form required by the Department of Public Works, and be recorded.

APPEAL NO. 82-271

THE PACIFIC UNION CLUB, Appellant vs. DEPT. PUBLIC WORKS, Respondent

Denial on December 6, 1982, of permit to alter a building at 1000 California Street (APPLICATION NO. 8209673).

Mr. Don Lim spoke for the Department of Public Works and explained the requirement for the deadbolts and peepholes required by the Security Ordinance. Mr. Mark C. Stanley, speaking on behalf of the Pacific Union Club, explained that as this was a private club, occupied only by members, the ordinance should not apply. He also stated that the club had 24-hour security at both entrances. The Board then voted 5 - 0 to overrule the department.

APPEAL NO. 82-259

MARSHALL E. HARRIS, dba "CART BLANCHE," Appellant vs. POLICE DEPARTMENT, Respondent

Denial on November 16, 1982, of pushcart peddler's permit for Main Street between Market and Mission Streets.

Officer Pecinovsky and Officer Hession represented the Police Department. They stated that they had been unable to find a legal place for the appellant to locate his pushcart. The appellant decided, at the Board's suggestion, to withdraw his appeal and to amend his application for a location for Spear Street.

APPEAL NO. 82-272

WILLARD M. ROBINSON, Appellant vs. POLICE DEPARTMENT, Respondent
CITY PLANNING DISAPPROVAL

Denial on December 3, 1982, of peddler's permit at northwest corner of Kearny and Jackson Streets.

Officer West represented the Police Department and described the crowded conditions at this location as the reason for the denial of this permit. The manager of the building in the location of this truck spoke for the department, and stated the objections of businesses in the area to this permit. The appellant,

Mr. Robinson spoke in his own behalf, and stated that many of the grocery stores in this area bought his produce. Following a short discussion, the Board voted 5 - 0 to concur with the department.

APPEAL NO. 82-273

TRACY J. JONES, Appellant vs. POLICE DEPARTMENT, Respondent

Denial on December 3, 1982, of tow-car operator permit at 221 Brannan Street ("The Tow Pro").

Inspector Dwayne represented the Police Department, and cited the police record of the appellant in supporting the denial of the permit. The appellant spoke in his own behalf, stating that he needed this permit in order to work to make restitution on a past conviction. After some further discussion, the Board voted to overrule the department, with the stipulation that the permit be issued for one year only (expiration date January 4, 1984) and not be automatically renewable.

As there was no further business to bring before the Board, President Giraudo adjourned the meeting at 9:05 p.m.

DATE: December 22, 1982

Louis J. Giraudo, President

Claire C. Pilcher
Executive Director

SPECIAL MEETING OF THE BOARD OF PERMIT APPEALS - SITE INSPECTION

APPEAL NO. 82-204

30 MILLER PLACE HOMEOWNERS ASSOCIATION, Appellant vs. SAN FRANCISCO ZONING ADMINISTRATOR, Respondent

Determination of the Zoning Administrator on November 16, 1982, regarding variance for off-street parking at 30 Miller Place.

A site inspection was held at this location on Tuesday, December 21, 1982, at 8:00 a.m. This site inspection was attended by President Louis J. Giraudo and Vice President Agripino R. Cerbatos. Attorneys and/or representatives for both sides were also present.

BOARD OF PERMIT APPEALS
CITY HALL
SAN FRANCISCO, CA 94102

10091 7

TITLE NUMBER: _____ CUSTOMER NUMBER: _____

LIBRARY _____

Bind in Everything ☐

	F	B	NP
CONTENTS	☐	☐	☐
INDEX	☐	☐	☐
Bind without Index	☐	☐	☐

ISSUE CONTENTS

Discard	☐
Bind in Place	☐
Gather at Front	☐

	IN	OUT
Advertisements	☐	☐
Front Covers	☐	☐
Back Covers	☐	☐
1st only	☐	☐
Accents	☐	☐
Imprints	☐	☐

Special Instructions:

Buck Color	
Print Color	
Trim Height	
Ht. Inches	
Over Thick	
For. Title	
Extra Lines	
Extra Coll.	
Hand Sew	
Slit	
Rules	
1st Slot No.	
Vol. Slot No.	
Year Slot No.	
Call # Slot	
Imp Slot No.	
Type Face	
Price	
Mending	
Map Pockets	
2 Vols In 1	

STANDARD FORMS CO Phoenix Las Vegas Reno

318

10091 7